THE WAILING VALE

by

AZIZ BEG

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Published by Babur and Amer Publications

 ★ FIRST PUBLISHED 1969

Printed in Pakistan by
Liberty Printing Press Limited, 4-N Gulberg, Lahore

To

Rana Khudadad Khan

who has sustained me during

the most tense and trying

moments of life

CONTENTS

PREFACE

In one of his lyrical outbursts, the late Pandit Jawaharlal Nehru described Srinagar, the capital city of Kashmir, as "a fairy city of dreamlike beauty". He added, in the same imaginative vein, that "it is no fancy picture for fairyland lies all around it; the magic is there already...Kashmir calls back, its pull is stronger than ever; it whispers its magic to the ears and its memory disturbs the mind. How can they who have fallen under its spell release themselves from this enchantment". Nehru was inspired to write this piece when he revisited Kashmir after twenty-three years and a few months after the historic Lahore Resolution was passed and representatives of Muslim India demanded the partition of the subcontinent. The people of Kashmir had to pay a frightful price for the magical charm the valley exercised on Nehru's mind. Its enchantment for Nehru led to the enslavement of four million Kashmiris; was he so fascinated by the land that its people had to put on fetters?

In 1947, Nehru's Government forced Kashmir's accession to India. The people revolted and freed part of the state over which the Dogras had tightly held their sway for a century. But the end of Dogra absolutism was the beginning of a new lease of penal servitude under Hindu hegemony. During these twenty trying

years, lakhs of them have been maimed or massacred; half a million were driven out and sought shelter in Pakistan; many are still languishing in medieval prison houses; the entire valley is groaning under an injustice and iniquity the like of which has not been seen in our life time.

Thus, Nehru was not able to release himself from the romantic bond of Kashmir and the people, to this day, have not been able to release themselves from the bondage. Was the sentiment so abiding that all considerations of equity and morality, truth and justice, peace and freedom, honour and humanity had to be consigned to the dustpan?

And, above all, what about India's verbal promises and written assurances to the people of Kashmir, to Pakistan, to the United Nations and to the world that she was solemnly committed as a party to the dispute to hold a plebiscite under the aegis of an impartial international agency? But, alas, after her clear and categorical pledges to let the people decide and determine their political future, her official spokesmen have defiantly adopted a new stance which leaves no room for negotiation, mediation, arbitration or any kind of compliance with the U. N. resolutions.

It has become nostalgic war of words; they have vainly laboured to explain that plebiscite was a proposal and not a commitment; since India subscribed to this proposal, they had to find a new synonym and say that it was in the nature of a recommendation and the offer could be withdrawn at any time. At one of the inter-

state conferences, Indian representatives insisted on treating Kashmir as a 'problem' and not a 'dispute'. Later, Nehru told a Pakistani editor that it had become a 'petrified problem'; and, now, all of them say that it is a dead issue. The finale to this terminological tamasha was provided by Mrs. Indira Gandhi when she bellowed out that the Tashkent Declaration does not warrant even a discussion on Kashmir as it had inalienably become a part of India. Not one among the many newspaper correspondents who covered the Tashkent parleys reported that President Ayub and Prime Minister Shastri had discussed the genesis of Islamic metaphysics or transmigration of soul or prospects of landing on the moon or commercial aspect of growing soyabeans. The deliberations were largely centred on Kashmir because all the participants had to concede that it was a major canker in India-Pakistan relations.

But, is it profitable to argue when the patient refuses to think or listen or talk and can only see his image reflected on the walls of an improvised glass house? The glass is broken, the walls have crumbled, but the occupant still believes he is master of the house he does not own. The winds of time cannot erode a cause or kill a movement; in fact, India's two-decade occupancy has served to stoke the fires of freedom. Kashmir is aflame. The people look upon Indian rule as a usurper's regime and the occupation forces as an army of assassins. As resistance against tyranny grows, there is more and still more repression. From Banihal to Baramula, the blood of innocent Kashmiris is spilt

every day; the 'Happy Valley' has become a predator's abode. The fragrant fairyland of Nehru's dreams is, today, being described in terms which suggest the stench of a malignant tumour or an infectious disease. It has been called a festering sore, a powder keg, a growing cancer.

Whatever Indian leaders may say or do, the melancholy fact is that Kashmir continues to cast its ominous shadow over the subcontinent. Years ago, Admiral Nimitz, who was designated Plebiscite Administrator, warned: "certainly a dispute that involves one-fifth of the world's population and that can erupt into a world war bears careful watching". But India has spurned every offer to settle the dispute. True, Kashmir has become a triangular duel but, basically, it is the people of Kashmir who deserve to be detached from the Indian yoke as they have all become targets of tyranny that is grimly reminiscent of Nazi concentration camps.

Thanks to India's totalitarian and terror tactics, Kashmir's struggle for liberation has assumed a new density and dimension. They are battling against a formidable foe, but "a people once aroused can be deceived no longer", assured Abraham Lincoln. "Give me liberty or give me death" is not a mere slogan but a sentiment that animates Kashmir's crusade against alien domination.

Thus, other forbidding factors apart, Kashmir has acquired the sanctity of a human problem. Deportation of Kashmiri Muslims and systematic extermination of

the majority people are crimes which can be termed juridically as positive acts of genocide. It is a common political phenomena that minorities suffer and struggle to reassert and regain their constitutional rights but the situation in Kashmir is uniquely tragic inasmuch as the majority in this state is at mercy of a small community which has not only the backing of the army and police but controls the civil service and ruling party. The position may appear analogous to the prevailing power pattern in Rhodesia and the Union of South Africa but even in these notorious racial states the white minority has not resorted to any large-scale genocidal acts against the local population.

This book may not be an adequate portrayal of the changing face of Kashmir but I have tried to recount the story of this beleaguered valley in the light of authentic source material accessible to me. As the *original sin** was the sale deed of 1846, a preliminary probe into the excesses of Dogra rule would lend proper perspective to subsequent developments.

Is Kashmir an unfortunate legacy of British rule? How did Kashmir come to India as a windfall? In chapter II, I have briefly dealt with an ugly act of partition play, which has been often bared but seldom invoked as a record of clandestine moves to deprive Pakistan of its legal and legitimate territorial rights.

The next two chapters examine India's straddling strategy and United Nations' pathetic powerlessness to enforce its decisions. What an ironic coincidence that

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* The italics throughout the book are the author's.

the anniversary of the United Nations and birthday of Azad Kashmir Government are celebrated on the same day (October 24), year after year.

The circumstances that led to subcontinental war, the death of Tashkent Declaration and inhuman conditions in occupied Kashmir form the subject of last three chapters.

Weighing India's newest objections against any shift in the status quo, the Epilogue may be called an exercise to understand the Indian stand and psychology.

All the facts in the Appendixes have been carefully marshalled to serve as supplementary and documentary literature on a dispute which not only involves two Asian giants but continues to be a part of the resurgent cold war.

LAHORE AZIZ BEG
1 January, 1969.

ACKNOWLEDGEMENTS

Writing a book is an individual feat though the performance not only requires spectators but friends who can inspire and assist from the time of conception to the rigours of labour room and delivery. For their encouragement and cordial cooperation, I am profoundly grateful to Mr. Abdul Hamid Khan, President, and Mr. Maqbool Ahmed Sheikh, Senior Secretary, Azad Jammu and Kashmir Government. For the help they have so graciously given, I am indebted to Mr. S. M. Yusuf, Secretary and Mr. Aftab Ahmed Khan, Director-General, Ministry of Foreign Affairs, Government of Pakistan. I am sincerely thankful to Mr. Salim-ur-Rehman for saving my working hours in preparing the Appendixes.

I must express my deep gratitude to Mr. Tauqir Hasan, former Section Officer in the Ministry of Kashmir Affairs and Mr. Asghar Ali Mir, editor of "Kashmir" weekly. They placed at my disposal valuable source material and never hesitated for a moment in answering my numerous queries and questions. But for their advice and assistance, I would have felt greatly handicapped in filling in documentation gaps and piecing together the essential ingredients of the Kashmir story. There is a production aspect of this book for which I am grateful to Mr. M. H. M. Burney, General Manager of Commerce Bank in Lahore.

A. B.

"Cowardice is the mother of cruelty"

Prologue

PROLOGUE

It is a tragic biological fact that man is the only mass murderer of his species. Many a leaf in the book of mankind are smeared with the blood of human beings. As we turn the pages of history, we find that Changhis Khan, the terrible leader of Mongol tribes, is credited with a catalogue of carnage which has not been equalled since his hordes overran large parts of Asia and Europe and killed millions of innocent men, women and children. The people of medieval Europe fearfully called him "The Scourge of God".

All chroniclers agree that he was cruel, callous, wicked and ruthless, but all his plundering exploits and genocidal massacres were prompted by reasons of personal glory and greatness. He did not hate the people slain by him and he had no malice against his enemies, because there was no religious or moral basis to provoke the wars waged and won by his armies. Perhaps the most heinous crimes and dreadful sins have been committed by those who indulged in planned extermination of their adversaries and resorted to a kind of violence and coercion hardly practised by conquerors like Changhis Khan. Thus, the use of force and torture to destroy political, social and religious freedom of a people is the gravest challenge to human dignity and conscience. It is one of the poignant paradoxes of human history that the use of torture, as an

art or science, nearly synchronised with the dawn of civilization. During the last ten centuries, the torturers have forged numerous techniques to terrorise their victims. They have improvised hundreds of coercive methods: between the crude device of the snake pit and the refined electricity gadgets, there is an appalling record of tortures inflicted on man by man.

The book of torture forbids the practitioners to execute a 'quick kill'; the prescription is to make death as painful and prolonged as the victim can bear without passing out. Death by slow suffocation, starvation and sleeplessness has been in common usage. Stoning and mutilation have often been practised as a deterrant against immoral conduct. But the more macabre tortures have been used against prisoners down the ages. To extract a confession, captives have been roasted, impaled, disemboweled, skinned and burnt or buried alive. The sadists have sawed apart and fried the flesh of their human victims, tore their tongue and splintered their body with bone-crushing iron weights. During the days of Ivan the Terrible, a dissenter was "sprinkled alternately with ice-cold and boiling water until the skin came off like an eel's." Some of the modern methods of dealing with political opponents and freedom fighters are perhaps more barbaric as all the 'evil things' these days are 'scientifically prepared in cold-blood'. Lynching might appear to be a lenient way of executing a person when we learn about more gruesome details of atrocities in the twentieth century. In some of the advanced Western countries, live copper wires, attached to a battery, were wrapped around the sensitive parts of

captives; the use of electrodes was adjusted according to the sex of the victim.

In 1939 Thomas Hope was so profoundly moved by the prospects of peace and march of humanity that, after relating the story of sixteenth century Spanish Inquisition in his stimulating book *Torquemada*, he thought that homo sapiens had come of age and were rising higher and higher in the scale of civilization. He confidently believed that "there can be no more mass hysteria, no more tortures, no more persecutions" but, within a few years, the lights were dimmed by the holocaust of second world war; the news of Nazi atrocities were received with shock and shame even by cynics and skeptics who never shared Mr. Hope's vision of an enlightened era.

I have seen no report or recorded evidence that since Belsen, Buchenwald and the gas chambers of Auschwitz, there have been more fiendish crimes anywhere in the world than in India-held Kashmir. In the name of debunked Hindu gods, they are seeking the obliteration of Muslims as a majority community. Indian soldiers and stooges, helped by Hindu goondas and gangsters, are guilty of worst atrocities yet committed during the last quarter century. What is more, these are "peace crimes" and not Vietnam "war crimes" being examined by a tribunal headed by Bertrand Russell.

The great British philosopher woefully accuses United States of maintaining "an army of occupation in Vietnam, engaged in suppressing a movement of resistance which, by humane standards, commands the

support of the vast majority of the people. The resistance in Vietnam demands the right to self-determination. I cannot discover a situation quite comparable. I cannot recall a people so tormented, yet so devoid of the failings of their tormentors. I do not know any other confiict in which the disparity in physical power was so vast. I have no memory of any people so enduring, or of any nation with a spirit of resistance so unquenchable".

Members of the Tribunal believe that "there is overwhelming evidence of a prima facie charactor, evidence shown daily by the very media of communication of the Western countries. This evidence supporting the charge of war crimes has induced us to prepare the international Tribunal which will function as a commission of enquiry".

The International War Crimes Commission asked themselves a few questions. Reworded by substituting "India" for "United States" and "Kashmiris" for "Vietnamese" the questions are:

(1) Has the Indian Government committed acts of aggression according to international law?

(2) Have Kashmiris been subjected to inhuman treatment forbidden by the laws of war and, in particular, to torture or mutilation? Have there been unjustified reprisals against the civilian population ?

There is mounting documentary evidence of multiple atrocities committed by Hindu communalists

and a genocide campaign conducted by Indian troops in Kashmir.

It does not look proper to compare patterns of criminal behaviour as it is perhaps better to assess the circumstances in which acts of atrocities have been committed.

The people of Kashmir have no arms and are fighting a defenceless battle. The cruelty of Vietnamese scene is evident but the situation in Kashmir has all the brutality and ruthlessness of a war with only one combatant engaged in an orgy of destruction and massacre.

Secondly, it is an all-out war in Vietnam and some will be prone to condone the excesses—presumably committed by both the parties in the heat and fury of a battle. Even Bertrand Russell admitted that "some of our friends have argued that in any war both sides are guilty of committing atrocities and, by inference, must be held equally responsible."

Thirdly, the people of Kashmir are not waging a war like the Viet Cong; they are peacefully registering their resistance to Indian rule by making verbal protests, organising periodic demonstrations and holding public meetings.

Fourthly, they have been punished and persecuted because they are Muslims. In the India of today, all non-Hindus have been given the opprobrious name of *malich* but their greatest concentration of hostility is against the Muslims. There have been more than 700 anti-Muslim riots in India since independence.

Lastly, what makes the situation intolerable and the crime unpardonable in the eyes of the Indian rulers is the struggle of Kashmiri Muslims to seek freedom on the basis of self-determination—a principle universally upheld and clearly recognized by the United Nations Charter.

The genesis of the Kashmir dispute apart, the United Nations is bound by its own Charter to take cognizance of a situation which not only threatens peace but the very existence of a people who cannot even defend themselves.

Article 8 of the U.N. Genocide Convention, which was ratified both by the Governments of India and Pakistan says:

> "Any Contracting Party may call upon the competent organs of the United Nations to take such action under the U.N. Charter as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in Article 3."

The acts enumerated in Article 3 of the Genocide Convention are:

(a) Genocide;

(b) Conspiracy to commit genocide;

(c) Direct and public incitement to commit genocide;

(d) Attempt to commit genocide;

(e) Complicity in genocide.



TODAY AND TOMORROW: These smiling Kashmiri children of India-held Kashmir know not what fate awaits them.



A typical Gilgit girl, who breathes an air of freedom as she lives in the liberated part of the dismembered State of Jammu and Kashmir.

Any impartial investigating commission would find it difficult to withhold the verdict of 'an outlaw' on India. It is not a question of complicity or connivance because India's civil and military forces are directly involved in monumental murders . . . Do the conscience-keepers of the world have no knowledge of what Indian marauders in Kashmir have done during their two-decade precarious tenure of tyranny? But, it is a world ruled by superpowers. It is not even possible to establish truth and prove the justness of your case without being a pawn in the hands of one of the superpowers. A small power can hardly be in a position to influence the policy or effectively promote the global interests of a superpower. Kashmir poses a human problem but it is not important because it can remain unresolved without endangering the relations of a big power with a small power or driving a new wedge in the developing relations between major powers. In other words, Kashmir must cease to be a local problem and has to acquire the status of a world issue before it can awaken the conscience of mankind. In the context of power politics a world issue means an issue in which one of the Big Two has a stake.

A few years ago, Hungary lept into limelight as it was feared that the crisis might end the era of cold war and precipitate a head-on collision between the United States and Soviet Russia. Czechoslovakia is important because recent events were interpreted as a challenge to established spheres of influence and could revive the old polarization between the United States and Soviet Russia. Even Middle East is important because Soviet Russia is arming the Arab countries and the United

States cannot give up its parental patronage of Israel.

Soon after Pakistan's first national war, a British paper accused India of "perfidious actions" in Kashmir, but these horrowing tales of torture come from a part of the world which is still dependent on the West for economic aid and military equipment. As the President of Pakistan said: "The smaller countries, particularly those in the early stages of industrial development, belong to a lower stratum of existence".

Addressing the opening session of the International Conference on Human Rights in Paris, the United Nations Secretary-General deplored "resort to violence and persecution, despite the acceptance of the Universal Declaration of Human Rights by all members of the international community". Who will not share U Thant's lament, but how many will have the courage and humanity to stand up and expose India whose men and machineguns are openly engaged in a war of annihilation in Kashmir.

The other day, President Kenneth Kaunda of Zambia suggested "the establishment of an international crime register of all those who blatantly offend against justice, human rights and human dignity." India's name will be fairly high up in the proposed register but what are the mechanics of punishing the offenders? The answer to this question will decide whether we are fated to live with fear and fraud or we have the will and vitality to shed cowardice and hypocrisy. If we learn to condone acts of depravity, we can claim to be no better than moral lepers. I believe India is a test-case : as long as United Nations cannot reach beyond

the stature of its member-states, there is no hope for humanity. To blink frightening facts would be to 'shut the gates of mercy on mankind'.

Torn between hope and horrors of bloody Indian rule, the people of Kashmir face a challenge which makes life as agonizing as death.

In the words of a prison-poet:

"There is no time to sleep, to dream
For pain has barricaded time.
Death calls, and life is ended,
From the depth of the mountain, from the dark of the forest.
You have treasured life for thousands of years,
Incapable of taking life through laws that forbade you to kill,
You have opened the way to Satan's dominion.

Now your wives have been raped,
And your sons castrated,
Your daughters' wombs thrown into the gutter.
This is your fate and the fate of those who accept defeat.

And now, helpless, you lie imprisoned by the sky,
A sky red with flames, black with burnt flesh,
The waterspout of your blood gushing upwards.
It is now too late to live.

And yet you must remain Men
Though the beasts of the jungle do not care for humanity.
You must remain Men to die as Men
Because of your past loves and loyalties,
Because of the tradition of bygone centuries.
In your death you will live until the end of days."

CHAPTER 1

"As a jewel of gold in a swine's snout . . ."

Dogra Despotism

DOGRA DESPOTISM

Many a flower blush and bloom in the garden of this world but Kashmir is perhaps the fairest flower in the beauty parlour of nature. It always had a magnetic charm and mesmeric influence which could better be experienced than explained. All visitors to the vale of Kashmir have relished its loveliness and cherished its memory. The divine face of Kashmir has attracted all—poets have fallen into trance, travellers have gone into raptures, even cold chroniclers have derived estatic delight from its scenic sights. Everybody has been romantically moved by its scented saffron fields and smiling flower beds, its expansive meadows and beautiful cascades, its tempting slopes and enchanting orchards, its serpentining streams, and gorgeous rivers, its lovely lakes and ice-cold springs, its mighty mountains and silvery peaks.

Abul-Fazal, a luminary of Akbar's court, described Kashmir "as an enchanting country, fit to be called a garden of perpetual spring". During his frequent visits to summer-houses, 'situated in the centre of the canal', Bernier saw an inscription on the interior walls: 'If there be a Paradise on earth, it is here, it is here, it is here'. He was visibly moved by the bounty and beauty

of nature and was so enamoured of the reputed physical appeal of Kashmiri women that "he would follow richly dressed elephants through the streets ; as these elephants passed along, the noise of the silver bells with which they were adorned attracted the attenion of the ladies inside the house, who would crowd to the windows to see the spectacle and at the same time, unknown to themselves, to be observed by Bernier."

Forster marvelled at the scenic route from Banihal to Srinagar: "The road from Veere Naug leads through a country, exhibiting that store of luxuriant imagery, which is produced by a happy disposition of hill, dale, wood, and water ; and that these rare excellencies of nature might be displayed in their full glory, it was the season of spring, when the trees, the apple, pear, the peach, apricot, the cherry and mulberry, bore a variegated load of blossom. The clusters also, of the red and white rose, with an infinite class of flowering shrubs, presented a view so gaily decked, that no extraordinary warmth of imagination was required to fancy that I stood, at least, on a province of fairyland".

Emperor Jehangir was perhaps the most passionate lover of Kashmir. He did not spare any hyperboles or superlatives to sing praise of Kashmir—"a garden of eternal spring, or an iron fort to a palace of kings, a delightful flower-bed, and a heart-expanding heritage for dervishes. There are running streams and fountains beyond count. Wherever the eye reaches, there are verdure and running water. The red rose, the violet and the narcissus grow of themselves ; in the fields, there are all kinds of flowers and all sorts of sweet-

scented herbs more than can be calculated. In the soul-enchanting spring the hills and plains are filled with blossoms; the gates, the walls, the courts, the roofs, are lighted up by the torches of the banquet-adoring tulips. What shall we say of these things or the wide meadows and the fragrant trefoil?" Jehangir was overwhelmed by the all-pervasive beauty of Kashmir but when he visited Gulmarg, he did not pause to describe it as "a page that the painter of destiny had drawn with the pencil of creation":

"The garden-nymphs were brilliant,
Their cheeks shone like lamps;
There were fragrant buds on their stems,
Like dark amulets on the arms of the beloved;
The wakeful, ode-rehearsing nightingales whetted the desires of wine-drinkers;
At each fountain the duck dipped his beak like golden scissors cutting silk;
There were flower-carpets and fresh rosebuds,
The wind fanned the lamps of the roses,
The violet braided her locks,
The buds tied a knot in the heart."

Surrounded by fountains, shaded by chenar trees, Jehangir and Nur Jahan had the time of their life on the bank of Dal lake. According to Moore, their famous Feast of Roses was:

"all love and light
Visions by day and feasts by night".

Nehru also discovered the kernel of Kashmir when he re-visited his ancestors' abode in 1940: "Like some supremely beautiful woman, whose beauty is almost impersonal and above human desire, such was Kashmir in all its feminine beauty of river and valley and lake and graceful trees. And then another aspect of this magic beauty would come to view, a masculine one, of hard mountains and precipices, and snow-capped peaks and glaciers, and cruel and fierce torrents rushing down to the valleys below. The mist would creep up from the Dal lake and, like a transparent veil, give glimpses of what was behind. The clouds would throw out their arms to embrace a mountain top, or creep down stealthily like children at play. I watched this ever-changing spectacle, and sometimes the sheer loveliness of it was overpowering and I felt almost faint. I gazed at it, it seemed to me dreamlike and unreal, like the hopes and desires that fill us and so seldom find fulfilment. It was like the face of the beloved that one sees in a dream and that fades away on awakening . . ."

The idea that Kashmir could have an existence apart from India gave Nehru periodic political fits but its beauty often drove him to poetic frenzy. For Nehru, Kashmir was 'a thing of beauty' and 'a joy for ever'. But, what appeared lovely to Nehru was the *land* and not its *people.* How could 'the hopes and desires' of the people 'find fulfilment' when that 'supremely beautiful women' called Kashmir was ravished by the same cruel methods which he condemned to save the chastity of India. The 'transparent veil' has been torn and given us all 'glimpses of what was behind' Kashmir's accession to India.

But these fulsome figures of speech cannot shroud the suffering soul of the Kashmiri people. Today, this land is labouring under a malignant influence; the paradise has lost its pristine glory; the classic gardenia has lost its grandeur; the song of nightingale has lost its melody; the butterfly has lost its erect wings and lies twisted in the dust. All flowers have lost their fragrant scent because lilies and roses, pride of the valley, have been violated by predators. The eternal spring of Kashmir wears an autumnal look because beauty has been bitten by a blight. The milk of human kindness has dried up and the blood of freedom fighters has welled up . . . Kashmir, the captivating land is, today, a captive land.

The Land And People

What is the political story, historical background and geographical setting of this land which has not only introduced a precarious factor in superpowers' cold war strategy but has led to violent disturbances in the state, a full-scale war between India and Pakistan, endless debates at the forum of United Nations and, above all, a new awareness of "two ways of life, two scales of values, two spiritual attitudes that find themselves locked in dreadful conflict, a conflict in which Kashmir has become the symbol and a battleground."

The common term "Kashmir" is in fact a shortened synonym for "the State of Jammu and Kashmir" which comprises the populous province of Jammu and farflung areas of Ladakh, Baltistan, Hunza, Nagir and the Gilgit Agency. Picturesquely situated at

the rim of subcontinent's northwestern mountain range, Kashmir is canopied by the Pamirs and shadowed by the Himalayas. It is bordered by China, Afghanistan and Soviet Union though the boundaries of the state and the length of its frontiers with these countries has not been clearly defined and demarcated. Kashmir's contiguity with West Pakistan stretches over 900 miles while its common border with India is only 317 miles. Six times larger than Switzerland, the total area of the state is 84,471 square miles. According to census held in 1941, the population of the State was 4,021,616—Muslims were 77.11 per cent, Hindus 20.12 per cent and Sikhs 1.64 per cent.

Historical references to Kashmir date back to the days of Alexander The Great. There are still some relics of Hellenic civilization in the State. As time rolled by, the people of Kashmir saw the rise and fall of 21 ruling dynasties, notably Pandava, Maurya, Kushan, Gonandya, Karkota, Utpala and Lohara. Written in the twelfth century, Kalhana's *Rajatrangini* is perhaps the only book which gives a vivid and concrete episodal account of their ceaseless battles and chequered fortunes. The Hindu Kings of yore were perhaps not fond of maintaining any authentic record of their accession to power and achievements. The bulk of the available literature on the subject is scarcely better than pot-pourri of myths and legends. From 1310 to 1819, Kashmir was under Muslim suzerainty. Out of these five centuries, Mughal rule lasted for nearly two hundred years. During the pre-Mughal period, one of the most pious and popular kings of Kashmir was Zain-ul-Abidin. His name is still a household

word in Kashmir and all historians have little hesitation in calling his fiftytwo-year rule as the Golden Age. He treated all his subjects humanely and encouraged the manufacture of shawls, paper and silk products. His reign not only brought peace and prosperity to Kashmir, but awakened the people to the possibility of a life without cruelty and poverty—the twin evils which have plagued this paradise for more than hundred years. Akbar, first among the big four Mughals, conquered Kashmir in the year 1586. He built a massive wall around Hari Parbat; Jehangir, his son and successor, laid out gardens, built monuments and imparted a new artistic and architectural look to Srinagar and its surroundings. Even during the declining days of Mughal empire, on Bernier's testimony, the people were leading happy lives and were peacefully engaged in their avocations.

The invasion of Kashmir by Ahmed Shah Abdali in 1750 and the defeat of his Afghan governor in 1819 at the hands of Sikh armies was the beginning of a brutally anti-Muslim rule. Akin to Hindus, the Sikhs made Kashmiri Muslims the football of their religious fanaticism. As we shall presently see, this regime of bigots, initiated one hundred and fifty years ago, is still firmly entrenched in Kashmir. In 1824, William Moorcraft wrote : "The Sikhs looked upon the Kashmiris as little better than cattle. The murder of a native by a Sikh was punished with a fine by the government from sixteen to twenty rupees of which four were paid to the family of the deceased, if a Hindu, and two if he was a Mohammadan. Everywhere the people were in a most abject

condition, subjected to every kind of extortion and oppression."

The state coffers were emptied by the greedy governors who resorted to the harshest measures to collect and pocket the revenues. Their love of easy money was insatiable ; according to Jacquemont, "the mother of some hill rajas had died, leaving nine lakhs of rupees . . . Her children were quarrelling over the estate and Ranjit sent M. Allard to the spot to remove the real cause of quarrel i.e. the nine lakhs." Describing the pitiable plight of the people, Moorcraft was surprised to see that the country was becoming, "infested by numerous and audacious bands of mendicants". Natural calamities like earthquake and pestilence and a man-made famine had a disastrous cumulative effect on the economy and many emigrated from the State. Vigne who left Kashmir in 1839, was distressed to find that "the numerous but ruined villages that were scattered over the surface of this once thickly peopled district. Many of the houses were tenantless and deserted ; the fruit was dropping unheeded from the trees; the orchards were overgrown with a profusion of wild hemp and wild indigo".

Having conquered Kashmir, it was Ranjit Singh's ambition to visit this famed valley. In the course of a letter he said that he pined for the day when "once in my life I could enjoy the delight of wandering through the gardens of Kashmir fragrant with almond blossoms, and of sitting on the fresh green turf". Ranjit Singh died without being able to visit Kashmir but Gulab Singh, his Dogra successor, not only saw 'almond blos-

soms' and sat on the 'green turf' but quenched his thirst with the blood of his Muslim subjects. Gulab Singh's ascendency to power is a signal example of what an artful adventurer could accomplish without losing face. He started his shady career as an orderly on a petty allowance of rupees three per month; then he became a trooper in the Sikh army; within a few years, he emerged out of political chaos as a chieftain; with his hold on Jammu, he elevated himself to the status of Raja ; when he borrowed money to buy the vale of Kashmir, he declared himself a Maharaja. The Machiavellian prince could not surpass Gulab Singh in the use of chicanery and deceipt to gain dubious political ends. It is perhaps the best success story of stratagems at a time when survival depended on doing it without scruples. He had all the tricks of a typical time-server. For him, morality was merely a rung of Fortune's ladder. Cunningham had no doubt that "he will indeed, deceive an enemy and take his life without hesitation, and in the accumulation of money he will exercise many oppressions". Even Sardar Panikar who served the Dogras as a government official, admitted that "he did not hesitate to resort to tricks which would, in ordinary life, be considered dishonourable. He was trained in a hard school, where lying and intrigue were all considered a part and parcel of politics."

When Gulab Singh offered armed help to the sinking Sikh state in its war against the Afghan ruler of Kashmir, he won the admiration of Ranjit Singh who made him the feudal lord of Jammu under his protectorate. As East India Company was striving hard to establish their supremacy in the Punjab, Gulab Singh was

ordered to command the Sikh army against the British forces. He could not refuse, but did not act in time ; the Sikh troops were routed and the British annexed Kashmir. Thus Gulab Singh managed to lose the historic battle of Sobraon but won the kingdom of Kashmir. As the British were waging a war against the Sikhs, he maintained a non-committal and non-chalant attitude and posed as a friend of both. In fact, he assumed the role of a go-between and mediator, but it was feigned neutrality as subsequent events proved. The rise of British power and decline of Sikh influence paved the ground for the exercise of Gulab Singh's innate opportunism. Ostensibly, an ally of the Sikhs, he opened clandestine negotiations with the British and begged to be rewarded for his yeoman service to the expanding British Indian Expire. Gulab Singh was as realistic as he was rapacious; he could decipher the writing on the wall and unmistakably saw signs of ultimate British victory. Thus, the bargain with the British was built on the betrayal of his Sikh patrons. No wonder, he was recompensed amply by the British for this treachery.

A Day To Remember

The Treaty of Lahore signed on 9 March, 1846, acknowledged Gulab Singh as the undisputed master of Jammu, Poonch, Ladakh and Baltistan. The Treaty of Amritsar, signed a week later, added Kashmir to his kingdom. It was an accursed day in the history of Kashmir—and British conquest of India. There has never been a more grievous disregard of the people and insult to posterity. The clauses of the treaty sentenced all

the people for all the time to rigorous terms of imprisonment . . .

ARTICLE 1

The British Government TRANSFERS and makes over *for ever* in independent possession to Maharaja Gulab Singh and the heirs male of his body all the hilly or mountainous country with its dependencies situated to the eastward of the River Indus and the westward of the River Ravi including Chamba and excluding Lahul being part of the territories ceded to the British Government by the Lahore State according to the provisions of the Article IV of the Treaty of Lahore, dated March 9, 1846.

ARTICLE 3

In consideration of the transfer made to him and his heirs by the provisions of the foregoing article Maharaja Gulab Singh will pay to the British Government the sum of seventy-five lakhs of rupees (Nanakshahi), fifty lakhs to be paid on ratification of this treaty and twentyfive lakhs on or before the 1st October of the current year, 1846.

ARTICLE 9

The British Government will give its aid to Maharaja Gulab Sigh in protecting his territories from external enemies.

ARTICLE 10

Maharaja Gulab Singh will acknowledge the supremacy of the British Government and will in token of such supremacy present annually to the British Government one horse, twelve shawl goats of approved breed (six male and six female) and three pairs of Cashmere shawls.

Gulab Singh paid a paltry price to the impoverished East India Company though many suspected that he had embezzled this amount when he had access to Ranjit Singh's treasury. In the immortal words of Iqbal :

"Their fields, their crops, their streams
Even the peasants in the vale
They sold, they sold all, alas!
How cheap was the sale."

Having signed the deed, Lord Lawrence admitted that it was "a very questionable stroke of policy which has brought woes innumerable on Kashmir ever since". He called "it an iniquitous arrangement by which Kashmir and its ill-fated inhabitants were to be transferred without their consent as though they were so many logs of wood to Gulab Singh, a Dogra Rajput, who has nothing in common with them."

The atrocities committed by Dogra rulers and their henchmen make the flesh creep. There is a story that "on one of his tours, the Maharaja stopped at a river to watch the convicts working at the construction of a bridge. He was impressed by the skill of one of them and praised him, whereupon the convict asked for

his release." "What was your offence?" asked the Maharaja. "Only a little matter," said the convict. The Maharaja took a pen and "drew a line down and then across his trunk. Then a sawyer was ordered to saw the man in four pieces." 'One piece shall be sent to North, one South, one East, and one West,' said the Maharaja. It is authoritatively stated by early historians that during the days of the great famine in 1877 a memorandum was "stealthily submitted to the British Viceroy at Delhi by some unknown Kashmiris making specific charges against Ranbir Singh. The memorandum was never published in full. Parts of it that were subsequently quoted by some informed British writers in their books, show that certain charges were very grave in character. It was said that in order to save the expense of feeding his people during the famine the Maharaja actually drowned his poor Muslim subjects by boat-loads in the Vular lake."

Gulab Singh was known for his licentious habits, but "not the least of his idle pleasures was his persecution of the Muslims, and to his underlings he gave his blessing for their slaughter." Barely four years after he mounted the throne of Keshmir, Gulab Singh was about to launch a drive to convert all Muslims to Hinduism but it is believed that he failed to get the expected support from the Brahmans of Benares. Unable to deface the identity of Kashmiri Muslims, he embarked on a career of ruthless persecution and victimisation of his own subjects which has few parallels in the history of torture. This was the beginning of the most tyrannical despotism the world has known in recent

history. The subjects of this degenerate Dogra prince paid such dues and taxes that broke their back; they suffered hardships that bracketed them with beasts; they faced poverty which ground them into dust; they saw persecution which made them fear freedom itself. They knew not what a wholesome meal is, what a decent garment looks like and what a house means. Hounded for a hundred year, they breathed in bondage and measured the miseries of their existence, from the womb to the tomb. In their human breasts, even hope did not spring, as they actually began to believe that they were eternally condemned and destined to lead a life of suffering and serfdom. Living in the shadow of tyranny and terror, their life became an unending cycle of tears and fears.

Gulab Singh became the evil progenitor of an oppressive Hindu oligarchic rule. The Muslim masses were the worst victims of his vicious ways of life. The incidence of all taxes fell heavily on poor Muslim peasants. Aparts from extortions by sepoys and state officials, there were numerous taxes which Muslims alone were required to pay. In fact there was a tax on everything, save water and air; even sacrificial goats and sheep and their grazing grounds were not spared. "Gulab Singh went beyond his predecessors in the acts of undue taxation and extortion" wrote Lieutenant Colonel Torrents. It is true that they had been taxed heavily in the past, "but he sucked the very life blood of the people. They had laid violent hands on a large proportion of the fruits of the earth, the profits of the loom and the work of men's hands, but he skinned the very flints to fill his coffers".

What made the situation infinitely more poignant was that there was appalling discrimination against Muslims who constituted 77 per cent of the population. The highest offices in the State were held by the Maharaja's own kinsmen. A Muslim has never been the Prime Minister of the State; and out of 13 there was only one Muslim battalion in the State army. And, yet, the starved and strangulated Muslim masses contributed 50,00,000 rupees year after year for the maintenance of the Maharaja's fabulous court. The killing of a cow was punishable by death; in 1934 the sentence was compassionately commuted to ten years rigorous imprisonment! The law was manifestly meant for Muslims as Hindu reverence for the cow was taken for granted. The Hindus had to obtain no licence to carry and use firearms; the Muslims were issued a licence in exceptional cases to ward off wild animals. If a Hindu embraced Islam, he lost his landed property; if a Muslim adopted Hinduism as his religion, he did not forfeit the right to his personal assets. What is more, there were insufferable curbs on the observance of Muslim religious occasions; the Hindu celebrated their festivals with great eclat and enthusiasm.

The army consisted of Dogras, Gurkhas and Sikhs and the Muslim martial classes had no opportunity to be recruited to the State forces. The Hindus had easy access to the best schools and colleges but even minimum educational facilities were denied to Muslims. The system of 'begar' largely affected the Muslims because they could only pick out forced labour from poor peasantry in the villages. For petty offences, Muslims were

uprooted from their ancestral homes and exiled from the State. Many well-known and respectable Kashmiri families in Amritsar, Lahore and Sialkot are old migrants from the State. The popular Kashmiri Hindu political worker and writer, Pandit Prem Nath Bazaz has drawn a painfully sharp picture of this period: "The poverty of Muslim masses was appalling. Dressed in rags which could hardly hide his body... barefooted, a Muslim peasant presented the appearance rather of a starving beggar than of one who filled the coffers of the State. He worked laboriously in the fields during the six months of the summer to pay the State its revenues and taxes, the officials their *rasum* and the money-lender his interest. Most of them were landless labourers working as serfs of the absentee landlords. They hardly earned, as their share of the produce, enough for more than three months. For the rest they had to earn by other means. During the six months they were unemployed and had to go outside the boundaries of the State to work as labourers in big towns and cities of British India. Their lot, as such, was no good, and many of them died every year, unknown, unwept and unsung outside their homes. The disgraceful environments and unkind surroundings in which so many of them died was a slur alike on the people and the government of the country to which they belonged. Almost the whole brunt of the official corruption had been borne by the Muslim masses. The Police, the Revenue Department, the Forest officials, and even the employees of the Co-operative Societies, had their palms oiled by exaction of the usual *rasum*. Nobody felt any ysmpathy . . . the channels of human kindness and mercy

had run dry. To loot the peasants was no sin; society did not disapprove of it. In the countryside, Muslims were hewers of wood and drawers of water. All sorts of dirty and menial work was to be done by him. A Hindu was respectable in the eyes of the society, and the Muslim, because he was a Muslim, was looked down upon as belonging to an inferior class."

How the tax burden broke the back of the people is graphically related by Sir Francis Younghusband: "Upon every branch of commerce there was a multiplicity and weight of exactions. No product was too insignificant and no person too poor to contribute to the State. The manufacture or production of silk, saffron, paper, tobacco, wine, and salt were all State monopolies. The sale of grain was a State monopoly. On the manufacture of shawls parallel restrictions were placed. The wool was taxed as it entered Kashmir, the manufacturer was taxed for every workman he employed, and at various stages of the process according to the value of the fabric; and, lastly, the merchant was taxed, before he could export the goods, the enormous duty of 85 per cent ad valorem. Butchers, bakers, carpenters, boatmen, and even prostitutes, were taxed, and coolies who were engaged to carry loads for travelling had to give up half their earning." When senior British officials started settlement of the land, they found that "everything was under taxation. Even the office of the grave-digger was taxed".

The Dogras resorted to many inhuman practices but 'begar' or forced labour was the worst form of exploitation ever contrived to grind down a people.

Knight has described it with pathos: "Many thousands of villagers have been driven off every year to toil as carriers of burdens on the Gilgit road. Gilgit is a name of terror throughout the State. An enormous transport service is needed to supply the garrisons on the northern frontier with grain; and the Kashmir authorities have been utterly careless of the comfort, and even of the lives, of the unfortunate wretches who are dragged from their homes and families to trudge for months over the wearisome marches of that arid country. They fall on the road to perish of hunger and thirst, and, thinly clad as they are, are destroyed in hundreds at a time by the cold on the snowy passess. When a man is seized for this form of 'begar', his wives and children hang upon him, weeping, taking it almost for granted that they will never see him more. A gang of these poor creatures, heavily laden with grain, toiling along the desert crags between Astore and Gilgit, on a burning summer day, urged on by a sepoy guard, is perhaps as pitiable a spectacle as any to be seen on the roads of the Siberia. But these are not convicts and criminals, they are Mussalman farmers, harmless subjects of the Maharaja . . . Most of the begar has to be carried on in the summer months, when the passes are open, at the very season that the villagers are needed in their fields, the crops suffering from their absence. It is then that the grasping official swoops down on a district, and while raising the complement of men required by the State, levies blackmail from all the others. It has been caclulated that for one man who is taken on this forced labour, ten purchase their immunity from the officials, as much

as one hundred rupees being paid in some instances. The village is thus impoverished and rendered incapable of paying its share of revenue to the State. The 'begar' and its accompanying blackmail assumes many forms."

The Struggle Begins

Resistance and repression always set a chain reaction with the inevitable consequence of an explosion. In the beginning it could hardly be a freedom movement as we understand it today; it was not even a demand for the good things of life; protests against discriminatory treatment meted out to Muslims were in the form of humble petitions for the redress of grievances. The first real revolt was ignited in Poonch; as the fire spread, Gulab Singh was alarmed to learn that his local army had been defeated. He reached the scene and, according to Vigne : "Some of the prisoners were flayed alive under his own eyes. The executioner hesitated and Gulab Singh asked him if he were about to operate upon his own father and mother, and rated him for being so chicken-hearted. He then ordered one or two of the skins to be stuffed with straw . . . The figures were then planted on the wayside so that passer-by might see it; and Gulab Singh called his son's attention to it, and told him to take a lesson in the Art of Governing".

In 1884 Lord Kimberley, Secretary of State for India, felt "the urgent need for reforms in the administration of the State of Jammu and Kashmir," and posed a question whether, "having regard to the circumstances under which the sovereignty of the country was entrusted to the present Hindu ruling family, the intervention of

the British Government on behalf of the Mohammedan population has not already been too long delayed." The British had nearly decided to intervene and even annex the state but gave up the idea more perhaps on grounds of higher imperial considerations than for reasons of moral or legal binding of the treaty which transferred 'for ever' possession of Kashmir to Maharaja Gulab Singh and 'heirs male of his body'.

There was a long spell of silence before they could form an All-India Muslim Kashmir Conference with the limited objective of collecting donations for the grant of aid to educational institutions and scholarships to needy students. In 1925 Maharaja Hari Singh expressed his desire to introduce reforms but the proclamation proved to be a bogus document. The Muslims were nowhere in his scheme of things; Hindu Pandits and Sikhs welcomed the Maharaja's move at it tended to strengthen their stranglehold on the State. Even after seventy years of Dogra rule, there was no discernible change in the administrative set-up and, as Lord Birdwood observed: "As to his State, Maharaja Sir Hari Singh remained in apparent indifference to the welfare of his people throughout the twentythree years of his rule. While his own detachment contributed to the final debacle, we should remember that he inherited a system of taxation and land revenue which allowed the barest margin of subsistence to the Muslim Kashmiri. The incidence of land taxation was still three times that levied in the neighbouring Punjab. The Maharaja by virtue of the Treaty of Amritsar was not only Sovereign Ruler over his domain but owned the land."

The conditions had become so deplorable in 1929 that Sir Albion Banerji, one of Maharaja Hari Singh's senior ministers, resigned and left the State after releasing the following statement : "Jammu and Kashmir State is labouring under many disadvantages, with a large Mohammadan population absolutely illiterate, labouring under poverty and very low economic conditions of living in the villages and practically governed like dumb, driven cattle. There is no touch between the Government and the people, no suitable opportunity for representing grievances and the administrative machinery itself requires overhauling from top to bottom to bring it up to the modern conditions of efficiency. It has at present little or no sympathy with the people's wants and grievances. There is hardly any public opinion in the State. As regards the press it is practically non-existent with the result that the Government is not benefited to the extent that it should be by the impact of healthy criticism."

In a memorandum submitted to Lord Reading, Viceroy of India, in 1924, the Muslims pleaded for improving the lot of cultivators who had no proprietary rights, providing minimum educational opportunities, representation in State services, abolition of forced labour and fair distribution of government contracts. The official verdict was that 'there is no substance in the memorandum'; the signatories were ordered to hand over their property to the government and quit the State. It was wanton disregard of public weal : was there a way out of the wilderness? When a few enlightened young men, educated at Aligarh, returned to the valley,

there was a streak of light on the black horizon. These men had sensed the spirit of times; they had a chance to study the cruel contrast of conditions in Kashmir and British India. In fact they were carried away by the stream of political turbulence in India; at the Lahore session of the Hindu Congress in 1929, they heard reverberations of Swaraj slogans; at the Allahabad session of the Muslim League, a year later, they heard an echo of a sovereign Muslim country to be carved out of the subcontinent.

One of these men was Sheikh Mohammad Abdullah whose dynamism and dedication won him the title of "Sher-i-Kashmir". He collaborated with a few like-minded colleagues and, in 1930, opened a Muslim Reading Room in Srinagar. It was a modest beginning as they could not afford to be ostentatious in a regime which was scared of Muslim political activity and had imposed censorship on newspapers and ban on public meetings. This institution attracted the notice and did not perhaps invite the wrath of Maharaja Hari Singh. But it became the nucleus of a movement that erupted into an open revolt after a few years. On the same lines, Chaudhri Ghulam Abbas fathered Muslim Young Men's Association in Jammu.

In 1931, the valley was rocked by a series of incidents which left an indelible mark on the fair face of Kashmir. An old mosque in Riasi was pulled down; Kotli Muslims were debarred from saying congregational prayers; an *Imam* was told not to recite the sermon at the weekly Jumma gathering. It was more than 'insult

to injury' when a Hindu police official sacrilegiously treated the holy Quran. Some passers-by also found leaves of the sacred book scattered in a Srinagar public lavatory. Protests by Muslim Young Men's Association and the Anjuman-e-Islamia led to an immediate ban on public meetings. The ban was defied and, on June 21, more than hundred thousand Muslim thronged to Jumma Masjid in Srinagar to express their anger and indignation at the bestial behaviour of State functionaries. Abdul Qadir, a devout Muslim from the Frontier Province, was deeply stirred and inflammed by this episode and strongly castigated the State government for playing with the religious sentiments of Muslims. He was thrown into prison for delivering a seditious speech. The trial opened on July 13 in the Srinagar Central Jail where a milling crowd of Muslims had gathered to watch the proceedings. The authorities refused to let them in and the demonstrators refused to disperse . . . It was an incendiary situation and the Maharaja lost no time in putting into gear his infernal machine to quell the agitation. The police instantly opened fire; twentytwo Muslims were killed and forty wounded on the spot. Some of the onlookers were kicked and 'forced to kiss the Dogra flag and lick the shoes of Dogra soldiers'. Thus, July 13, became the Martyrs Day and has been solemnly observed by Kashmiris during the last 37 years. The shooting was followed by martial law and merciless rounding up of Muslims who had all become suspects and saboteurs under the law of jungle.

The active agitators had been silenced for the

moment but the agitation did not die down and engulfed the distant districts of the State. According to official figures, twentytwo more Muslims were killed and twentyseven injured in a firing in Islamabad. In Shopian a number of women were violated and men slaughtered. In Handwara twentytwo Muslims were dramatically done to death. In Baramulla an old sickly woman was shot dead as she tried to dissuade a policeman from holding up a procession. Everywhere, Muslims and Dogra soldiers were embroiled in a series of skirmishes and violent clashes were reported from all the principal towns. Thus, hundreds of Muslims lost their lives within a few days. The people thought of a new plank to reinforce the civil disobedience movement; as a reprisal, Mirpur Muslims refused to pay taxes; the Maharaja requisitioned Royal Indian Air Force planes and army units to coerce them. But he was no longer a complascent Maharaja ; he could not keep his countenance in the face of a situation deteriorating day by day. On 12 November, 1931, he was constrained to appoint a commission, headed by Mr. B. I. Glancy "to inquire into the grievances of the people and to recommend measures for their redress". It was a moral triumph for the people but the State government did not care to implement political, social and economic reforms proposed by the Commission. The pent-up people of Kashmir faced the grim alternatives of either submitting to Maharaja's autocratic acts or take a bold stand and defy the authorities. As the agitation gained momentum, the Maharaja took it as a challenge to the ruling family but he failed to grasp the meaning of this historic confrontation.

The burst in Kashmir had a resounding echo beyond Banihal; thousands of volunteers from Punjab trekked to Kashmir and courted arrest. The repercussions were no longer confined to Kashmir; as the story of their privations reached the higher strata of Indian Muslim politics, distinguished leaders like Allama Iqbal and Nawab Salimulla offered to help their downtrodden brethren. The Hindu leaders not only resented this help and condemned their demand as "most mischievous, malicious and selfish" but assured the Maharaja that "the services of the Rajputs of Ambala district are at His Highness' command in the maintenance of law and order." At last, the Kashmiri Muslims realised, more profoundly than ever, that the only way to end their political subjugation was to have a well-knit political organisation with a proper root, trunk and branches. Thus was born the All-Jammu and Kashmir Muslim Conference under the joint leadership of Sheikh Mohammad Abdullah and Chaudhri Ghulam Abbas.

In the middle of October, 1932 the Muslim Conference held its first three-day session in Srinagar under the presidentship of Abdullah. It was a heartening spectacle for Kashmiri Muslims who, for a century, had no leader, no party, no platform, and not even a clear-cut ideal to propel their struggle against a regime which had reduced them to sub-human level. Meanwhile, Chaudhri Ghulam Abbas had appended a strong note of dissent to the Glancy Commission report regarding representation in services and numerous religious disabilities under which the Muslims were labouring. As the Maharaja was biding his time and the recommenda-

tions of the commission remained in abeyance for two years, the people lost patience and all their expectations were belied. Now, perhaps for the first time, the people shed their fears, realised the dangers of obedience and emerged from private meeting places into the open. The Muslim Conference launched another giant agitation as it was determined to keep matters constantly before the public. As in the past, the Maharaja flourished his familiar bludgeon and his henchmen threatened the 'trouble-makers' with dire consequences. Chaudhri Ghulam Abbas and a number of his senior colleagues were incarcerated but, in the midst of this movement, the Maharaja announced that a legislative assembly would be established in the State. To prove his bona fides he ordered the release of all prisoners arrested during the course of agitation. A seventyfive-member legislative assembly was proposed but only thirtythree members were to be directly elected by the people. It was hardly better than an advisory body. In the first general election held in 1934, the Muslim Conference captured 16 out of 21 seats allotted to Muslims. The Muslim Conference candidates were again returned to the assembly in the elections held after three years. In 1938, all members of the Muslim Conference assembly party resigned and in the fresh elections held, their candidates won twenty out of twentyone seats.

In fact, these half-baked constitutional reforms created more bitterness and resentment. From 1936 to 1938, the Muslim Conference held a number of public meetings "repudiating the existing system of an irresponsible government" and resolved to carry the crusade to

the four corners of the State. In 1939, the Maharaja tried to administer another dose of reforms but the people had become almost allergic to such cold treatments. To impart a democratic semblance to his rule and yet keep the Muslims out of his way he encouraged the formation of three political parties—Kashmiri Pandits' Conference, the Hindu Sabha and Sikhs' Shiromani Khalsa Darbar. The Dogra Sabha had always been more loyalist than the king; it was a safety valve for the regime; its members were commissioned to take the steam out of every agitation. They could browbeat with impunity the smaller recalcitrant groups but found in the Muslim Conference an indefatigable adversary. It had become a great organisation and its growing popularity was an eye-sore to the Maharaja. The opportunity came when he found Sheikh Abdullah undergoing a mental change. During these years, Abdullah's ideal of a free India had befogged his judgment; he could not visualise the shape of things to come and assess the place and power of Muslims in the struggle for independence.

Defining his goal in 1938, Sheikh Abdullah said, "We must end communalism by ceasing to think in terms of Muslims and non-Muslims when discussing our political problems . . . and we must open our doors to all such Hindus and Sikhs who, like ourselves, believe in the freedom of their country from the shackles of an irresponsible rule." It appeared to be a laudable ideal but it was utterly divorced from the imperatives of the Indian political scene. Abdullah was more of a realist than a visionary but he confirmed his new belief by forcing a

break with the Muslim Conference and founding the National Conference in 1940. The new organization could not have new supporters; pro-Abdullah workers of the Muslim Conference gave it a trial run but the train could not reach the destination for lack of reliable signals. The Muslim Conference was soon revived and Sheikh Abdullah must have been dismayed to find that Ghulam Abbas, his old friend and prison companion, had turned an opponent and rivalled his leadership of Kashmiri Muslims. It was not a mere change of nomenclature because the destiny of the subcontinent was being shaped by events over which they had little control. The character of the two organizations reflected the split between the Hindu Congress and the Muslim League. Thus the Muslim Confernce became a political subordinate of the Muslim League and the National Conference became a convenient appendage of the Hindu Congress.

Parting of Ways

The growing schism between the two organizations led them to approach Quaid-i-Azam. It is said that Sheikh Abdullah "implored the League President to intervene in Kashmir affairs". The leaders of Muslim Conference also requested Quaid-i-Azam to act as an arbitrator. Thus both the parties invited Quaid-i-Azam who reached Srinagar on 10 May, 1944. From the place of entry into the State to his houseboat floating in the Dal lake, he received a tumultous welcome. Replying to the address of welcome presented on behalf of National Conference by Sheikh Abdullah, the Quaid-i-Azam



This historic photograph shows part of a procession in Jammu city in 1944 : on Quaid-e-Azam's right is Chaudhry Ghulam Abbas who was then President of the All-Jammu and Kashmir Muslim Conference.



Once upon a time Baltistan was a part of the Kingdom of Kashmir, but the liquidation of the British Indian Empire in 1947 ended the Maharaja's suzerainty over the far-flung northern areas acquired in 184os. Today it is administered by Pakistan: a beautiful Balti belle with a bedecked headgear and ornamental necklace.

said, "Even kings can feel proud at the warmth of welcome you have given me. But this reception is not meant for my person; it is meant for the All-India Muslim League of which I am the President. By it you have honoured the Muslims of India who are organized under the Muslim League."

At the annual session of the Muslim Conference held on 17 June, 1944, Quaid-i-Azam observed, "The leaders of the National Conference had assured me that the National Conference is the party of the Muslims; that their goal, policy and programme are the same as that of the Muslim Conference; that they fight for the welfare of the Muslims and that if the State Hindus and Sikhs cooperate with them well and good, if not, they (the Nationalist Muslims) did not mind . . . With one objective in view, you should establish one platform and one organization and rally round one banner. Ninety-nine per cent of the Muslims who met me are of the opinion that the Muslim Conference alone is the representative organization of the State Muslims."

The Quaid-i-Azam had no need to mince matters; he gave the signal, the people understood it and did not hesitate to make the final choice. Thus the Muslim Conference wore a new democratic complexion and spearheaded the war of liberation. On the other hand, inspite of its declared non-communal character, non-Muslims were not attracted to National Conference. They deliberately chose to be reactionary and played the Maharaja's game. Their fear was that the Muslims being in majority, they will in any case capture power whether a popular government was installed through

the efforts and agitation of Muslim Conference or National Conference. They knew that a democratically elected government would make the Maharaja a constitutional figurehead and end their monopolistic control over services, education and business.

The Maharaja started by setting one party against the other; he tried to capitalize on their divergent views but his 'divide and rule' devices could not put out the flame of freedom. In course of time, he began to lean more on the National Conference as a lesser evil. Even a liberal leader like Sir Tej Bahadur Sapru advised the Maharaja to forge a coalition between his government and the National Conference as there was no better recipe to counter the revolutionary consequences of agitation launched by the Muslim Conference. It was proposed to have two ministers from two major communities, but this diarchy plan was also doomed to failure as it could not be a decent democratic alternative to responsible and representative government. The Muslim Conference boycotted the elections and turned down the offer ; the National Conference fought the elections and agreed to have their minister in the Maharaja's cabinet.

It was perhaps the first fatal shot in the body of National Conference because the people could not be satisfied or even pacified by these constitutional palliatives and casual reformatory measures. It was the beginning of the end of National Conference as a mass Muslim organization. Its membership was dwindling; its prestige waning and, above all, it was dubbed an underling of the Maharaja. Police partiality in the

case of clashes between the workers of two organizations presented National Conference to the people as a gang of toad-eaters. How to blot out this stigma?

In the course of a memorandum, Sheikh Abdullah warned the Cabinet Mission in March 1946 that "the fate of the Kashmir nation is in the balance and in this hour of decision we demand our basic democratic right to send our selected representatives to the constitution-making bodies that will construct the frame-work of free India. We emphatically repudiate the right of the Princely Order to represent the people of the Indian States or their right to nominate personal representatives as our spokesmen". The memorandum was shelved and Abdullah desperately launched his abortive 'Quit Kashmir' campaign. Was it a plunge to make salvage of his wrecked reputation? Whatever reasons prompted Abdullah to take this daring step, the consequence was a new nine years' term of imprisonment. In July, 1946, the Muslim Conference held a convention in Srinagar and passed a 'direct action' resolution. As the annual session of the Conference scheduled to be held in October was banned, the valley was again riddled by commotion; the ban was defied and Chaudhri Ghulam Abbas and his prominent lieutenants were flung into prison.

Thus, Abdullah and Abbas parted company only to meet in Maharaja's prison after a few weeks. They say that adversity makes good friends but they were thrown apart and their long association could not outlast the cataclysmic events that shook the valley in 1947. Ghulam Abbas was released and came to

Pakistan; Sheikh Abdullah emerged from the prison to be declared Prime Minister of Kashmir. Abbas ceaselessly worked for Kashmir's accession to Pakistan; Abdullah precariously held the post for five years before he was ousted and rearrested in 1953. Confined in Udhampur, Abdullah could not rectify though, perhaps, he realized the cardinal mistake he committed in 1939 and again in 1947. Thus, years ago, the two leaders took two opposite roads which, years later, converged on the highway of hope but, in the meantime, a neo-colossus had entered the body of Kashmir—Abbas could not control it and Abdullah could not visualize it. Abbas has died with faith in the destiny of Kashmir as an essential limb of Pakistan; Abdullah is still battling to meet the new Swastika menace and liberate his people.

In the past, travellers in search of a dream journeyed to Kashmir; today the tourists retreat from the land with a feeling of repulsion. What has happened to the prodigious daughter of Himalayas born in the lap of lofty mountains? Who can change the look of nature but the people have been denied the dream of a free and flourishing Kashmir. Bound down by slavery for a century under the despotic Dogra rule, they dreamt of dawn when the British decided to liquidate their Indian empire and divide the subcontinent in two sovereign states. But their only hope was dashed when they discovered that a second sale deal had been struck. It was not a public auction but a secret understanding; there were no bidders and no price tag was hooked to the key of Kashmir. It was much more than 'one devil

being driven out by another'. Vincent Smith was right when he wrote, "Few regions in the world can have had worst luck than Kashmir in the matter of government." The Kashmiris were not in a mood to accept even a change of masters, but it turned out to be a change of oppressors. This was largely the political spectrum in Kashmir on the eve and morrow of partition.

CHAPTER 2

"Treachery, in the end, betrays itself"

Partition Drama

PARTITION DRAMA

The accession of Kashmir to India was the outcome of, what I might call, a 'cubic conspiracy' between the Maharaja, Mountbatten and Mahatma . . . Maharaja Hari Singh was a Hindu, rabidly anti-Muslim and had unmistakable leanings towards India. Lord Mountbatten was the British Viceroy, but there is enough evidence to prove that he helped the Hindu Congress to secure a corridor to Kashmir and paved the way for India's usurpation of the State. Whatever his professions and pretentions, Mahatma Gandhi was, at heart, a Hindu par excellence; for three scores and ten years of his life he was never tempted to visit the vale but he offered to go there and operate on the Maharaja—and Maharani—through their spiritual *guru*. The last in the 'em series' was Menon, a crafty Hindu civil servant who, as a Constitutional Adviser, shuttled between the Maharaja and Mountbatten. But he was much more than an errand boy; he was initiated into official secrets and soon managed to be trusted as a successful manipulator.

According to the Indian Independence Act, paramountcy of His Majesty's Government over the Indian Princely States was to lapse on 15 August, 1947, when the subcontinent was partitioned and two sovereign States came into being. The States were given the

option to accede to India or Pakistan. But, this legal aspect apart, Lord Mountbatten, advised the rulers of the States to decide the accession issue after duly considering the geographical location of their States, the communal composition of their population, economic factors and, above all, the wishes of their people. Thus, it was expected that Kashmir would naturally and automatically accede to Pakistan, not only because the people and political parties in the State supported this accession, but it was thought that any other action would be an invitation to disaster. All factors were in favour of accession to Pakistan, but the Maharaja behaved and acted differently; Mountbatten failed to prove in practice that his advice to Princes was meant to be followed; and the Mahatma surreptitiously succeeded in ousting Prime Minister Kak who was believed to be opposed to Kashmir's accession to India.

Thus, it appears that it was no longer a question of according priority to 'factors' to determine the future alignment of Indian States, but *who* is to tell the Princes to fall in line and decide in time according to the formula accepted by the representatives of Hindus and Muslim India. To put it more explicitly, it was reduced to a conflict between principles and personalities and between partition and paramountcy. In the ensuing tussle, the basic guidlines of partition were misconstrued and there was a dangerous debate on the legal status of Princes after British withdrawal. It was a futile exercise in polemics because what was of paramount importance was not paramountcy but imperatives of the act that led to the division of the subcontinent.

Secondly, we have to remember that "the question of self-determination in Jammu and Kashmir was less the cause than the consequence of the problem which derived from partition of the subcontinent." India's democratic dingdong about reference to people *after* their entry into Kashmir was a cloak to cover the atrocious act of accession which had no sanction in the spirit of partition. The promise of a plebiscite after the Maharaja had acceded to India was a subterfuge to gain time and confound the issues. In how many States which had acceded to India a referendum was held to ascertain the wishes of the people? During all these years, the Muslims of Kashmir have resolutely demonstrated their will to wrest freedom from India but, had the Maharaja decided to accede to Pakistan, it would have been the final fulfilment of the people's democratic aspirations. By procuring the Maharaja's accession to India, then declaring that it was a provisional acceptance and, finally, deciding to hold on Kashmir, India created a grave situation which need not have arisen at all. The events that contributed to this catastrophe are worth recounting.

Kashmir was so conjointly allied to Pakistan that the two parts could not be separated without drastic amputation. The ghastly blood-letting we have witnessed was the inevitable result of a forced surgical operation. Quaid-i-Azam once confidently declared that Kashmir would fall into our lap 'like a ripe fruit'. In the course of another speech he rightly stressed that "politically and economically Kashmir is the nerve-centre of Pakistan. No self-respecting nation can expose its nerve-centre to

the enemy's naked sword. Kashmir is an inalienable part of Pakistan".

The All-Jammu and Kashmir Muslim Conference voiced the preponderant view of the people when it passed the following resolution on 19 July, 1947, at a convention held in Srinagar : "The people of the Indian States expected that they would walk shoulder to shoulder with the people of British India in the attainment of freedom. On the partition of India the people of British India have obtained independence but the announcement of June 3 plan has strengthened the hands of the Indian Princes and unless the Princes respond to the call of the times, the future of the people of Indian States is very dark. There are only three ways open to the people of Jammu and Kashmir State : To accede to India, or to accede to Pakistan, or to remain independent. The convention has arrived at the conclusion that the Jammu and Kashmir State should accede to Pakistan".

But the Maharaja manoeuvred to accede to India. It was not an error of judgment because it was more of a stratagem that a decision. His understanding with Indian leaders had matured into a secret agreement. They knew that Pakistan would be 'completely encircled' if Kashmir remained within India's orbit. They believed that by precipitating Kashmir's accession to India, they would hasten the downfall of Pakistan. Thus, Kashmir was only a springboard; the target was Pakistan as the objective was to undo partition. Who could then imagine that the 'fair act' of partition would be stained by 'foul intentions'? In a letter to the British Prime Minister, dated 28 September 1947, Auchinleck wrote :

"I have no hesitation whatever in affirming that the present India Cabinet are implacably determined to do all in their power to prevent the establishment of the Dominion of Pakistan on a firm basis. In this I am supported by the unanimous opinion of my senior officers, and indeed by all responsible British officers cognizant of the situation". As the crisis in Kashmir dragged on, the Pakistan Prime Minister, in a telegram to Nehru, deeply regretted that "even today responsible members of the Government of India, including yourself, openly declare their intentions or hope of bringing Pakistan back into the Indian Union well knowing that this could be done only through conquest of arms . . . In other words Pakistan's very existence is the chief *casus belli* so far as India is concerned . . . India never wholeheartedly accepted the partition scheme but her leaders paid lip service to it merely in order to get the British troops out of the country . . . India is out to destroy the State of Pakistan . . . The fraudulent procurement of the accession of Jammu and Kashmir State is an act of hostility against Pakistan whose destruction is India's immediate objective."

Harvest of Hope

The first flickers of hope appeared the day Pakistan came into being as a sovereign country of 100-million Muslims, with whom the people of Kashmir were indissolubly bound by ties of culture, kinship and religion. The birth of Pakistan was the birth of a new hope in the heart of these people. Pakistan Day was joyously celebrated throughout the State. They thought that a free Kashmir was born as an integral part of free

Pakistan. But, aided by Hindu leaders, abetted by Mountbatten, Maharaja Hari Singh, the last in the line of Dogra ruling family, wanted to provide his own prologue to the drama that turned out to be a well-laid anti-Pakistan plot.

The Maharaja's Government issued a press note on 12 September which was an indirect admission that the law and order situation was getting out of hand and there were mass uprisings in a number of towns and adjoining areas. On 26 October he made a frantic appeal to Mountbatten for armed assistance as a 'grave emergency has arisen; within a few hours, his request led to Kashmir's accession to India. But, why did he wait for six weeks when the situation in the beginning of September was as grave as it was in the end of October. The author of *Mission with Mountbatten* records that the Governor-General had told the Maharaja not to declare independence but to find out the will of the people of Kashmir. Did Mountbatten find no proof of 'the will of the people' in open demonstrations, public protests and clear manifestoes of representative bodies? The Muslim Conference, the largest and most popular political organization in the state, had already passed a resolution favouring accession to Pakistan. On 5 September, the Jammu and Kashmir Kissan-Mazdoor conference also supported accession to Pakistan. The Kashmir Socialist Party had sent 'hundreds of telegrams' to the Maharaja 'imploring, beseeching and advising him not to accede to Indian Union'.

Here is the clue to the conspiracy which became more and more manifest with the passage of time. The

ominous success achieved by Dogra troops in killing and chasing out of the State tens of thousands of Muslims had whetted his appetite for blood and he imagined for a moment that even a majority could be converted into a minority. An added attraction for his megalomaniac genius was the fate of Muslims in the neighbouring states of Kapurthala, Patiala, Faridkot, Jind and Nabha where the followers of Islam were done to death in matter of days. The heads of these princely principalities paid visits to the Maharaja of Kashmir; as it was a period of turmoil, it could not be a season for tiger-shooting. But, the Maharaja was anxious to minimise the hazards of acceding to India in haste when he knew that an overriding majority of his subjects will not quietly submit to it and many will interpret his action as an openly anti-Pakistan move.

All sinister designs need time to mature; the Maharaja set a time-table that suited him—and New Delhi. The Indian leaders were very keen 'that the Maharaja of Kashmir should make no declaration of independence'. As they could not have conceivably wished that the Maharaja should accede to Pakistan, why were they scared of the possibility that the Maharaja might declare independence? The clever Hindu leaders would never like to admit that they are on tenter-hooks but they were surely apprehensive on two counts: (a) if the Maharaja adopted an independent stance, they would not be able to absorb Kashmir and thus make Pakistan militarily more vulnerable; (b) if the Maharaja asserted his sovereignty, the Nizam of Hyderabad would instantly follow suit and become free from the

tentacles of Indian Union. In fact, Hyderabad appeared to them weightier in the order of priorities, partly because of its size, wealth and singular position in South India but, perhaps, mainly because it was a State headed by a Muslim but mostly peopled by Hindus. Thus, Hyderabad has been rightly called 'Kashmir in reverse'. If the Hindu Maharaja of Kashmir could spurn the wishes of his Muslim subjects and accede to India, why should the Muslim Nizam of Hyderabad give a choice to his Hindu subjects and not declare independence or even accede to Pakistan. Thus, they wanted time to clear the decks for a possible showdown; they needed bulldozers to level the road for a smooth drive as the slightest deviation from the path they had chosen was fraught with unpredictable risks.

Secondly, the schedule of work tagged to the calendar months of June, July and August 1947 is not only an index to the working of Mountbatten's mind, but explains why the Congress leaders were sending 'wait and see' messages to the Maharaja. Within twentyfour hours of June 3 plan, Mountbatten was asked at a press conference why, according to him, "the ultimate boundaries will be settled by a Boundary Commission and will almost certainly not be identical with those which have been provisionally adopted"? Quick came the reply: "I put that in for the simple reason that in the district of Gurdaspur in the Punjab the population is 50.4 per cent of Muslims, I think, and 49.6 per cent non-Muslims. With a difference of 0.8 per cent you will see at once that it is unlikely that the Boundary Commission will throw the whole of the district into the

Muslim majority areas." The questioner had not particularised any area: how is it that Mountbatten could only conjure up the Gurdaspur district where a territorial murder was planned long before Radcliffe Award was announced. The future of Kashmir had been settled; the Congress leaders knew that the 'ultimate boundaries' will give India an access to the State. In Lord Birdwood's view, "it was Radcliffe's award to India of the Gurdaspur and Batala tehsils with Muslim majorities which rendered possible the maintenance of an Indian force at Jammu based on Pathankot as railhead and which enabled India to consolidate her defence southwards all the way from Uri to the Pakistan border." It appears that Mountbatten had put in hard work and acquired statistical mastery over the population ratios of Hindus and Muslims in the boundary areas. Mountbatten's repeated assurances to the Maharaja that India and Pakistan were equally competent to ensure the security and guarantee the territorial integrity of his State shows that he had a secret understanding with Congress leaders regarding the disposition of Gurdaspur district.

In fact, it was good that Hari Singh was 'refusing to say anything at all' but, to be sure that he does not betray himself in a moment of weakness, they perhaps requested Mountbatten to encourage the Maharaja 'to keep his mouth shut' for the time being. The cat seldom takes long to come out of the bag; Hindu high-ups were soon seen hopping over Banihal and back to New Delhi. They were hard-pressed for time as they could not expect Pakistan to keep sitting on the fence and watch

the Maharaja presiding over the liquidation of Kashmiri Muslims. They had a lurking fear that the moody Maharaja might change his mind—and change their planned course of action. Thus they were taking 'a lively interest in the subject' as a London paper put it, and the only way to promote this interest was to make the State of Kashmir safe for the Maharaja! Acharya Kripalani, the Congress President, was the first to visit Kashmir and woo the Maharaja. The burden of the messages Nehru sent to the Maharaja was that he should not 'decide in haste and repent at leisure'. Gandhi at that time was somewhere in the South but did not fail to make similar appeals to the Maharaja. Ultimately both of them decided to meet the Maharaja in Srinagar; Mountbatten advised the Mahatma and the disciple to postpone their programme as he would like to go himself. It was a tender moment; a slight technical mistake at this juncture might upset the premeditated plan; Nehru might act impetuously; Gandhi might behave mystically; Mountbatten alone could be and should be trusted to tackle the Maharaja.

Lord Mountbatten visited Kashmir in the third week of June and, as the chronicler of his mission put it, "when he got there he found the Maharaja politically elusive and the only conversations that took place were during their various car drives together. Mountbatten on these occasions urged him and his Prime Minister, Pandit Kak, not to make any declaration of independence, but to find out *in one way or another* the will of the people of Kashmir as soon as possible, and to announce their intention by 14th of August, to send

representatives accordingly to one Constituent Assembly or the other. He told them that the newly-created States Department of India was prepared to give an assurance that if Kashmir went to Pakistan this would not be regarded as an unfriendly act by the Government of India. He went on to stress the dangerous situation in which Kashmir would find itself if it lacked the support of one of the two Dominions by the date of the transfer of power. His intention was to give this advice privately to the Maharaja alone and then to repeat it in the presence of his Prime Minister with George Abell (Private Secretary to the Viceroy) and the Resident, Colonel Webb, in attendance, at a small meeting where minutes could be kept. The Maharaja suggested that the meeting should take place on the last day of the visit, to which Mountbatten agreed, feeling that this would allow him the maximum chance to make up his mind, but when the time came the Maharaja sent a message that he was in bed with colic and would be unable to attend the meeting. It seems that this is his usual illness when he wishes to avoid difficult discussions."

Did he avoid discussion because, from the very beginning, he had no intention of acceding to Pakistan? Did the Indian leaders not know it and did they not encourage him to play this perilous game of procrastination? The Maharaja's excuses and evasions were perhaps understandable, but what happened to the bold Mountbatten of Burma? If the Maharaja was suffering from colic, what was Mountbatten's malady? If the Maharaja was a habitual prevaricator, Mountbatten was known for 'the power of his personality' and his 'determined mind'.

He had many admirers who recognized him as 'persuasive, confident and charming'. It would be an insult to his ability, experience and knowledge to say that he treated Kashmir casually when he knew that the subcontinent as a whole could not gain from this state of suspense. He was surely in a strong position to compel the Maharaja to decide 'in time' because the fate of Kashmir 'could not be left hanging in the air'. After all, there was no 'credibility gap' between him and the Maharaja as they were reputed to be old friends. Mr. Leonard Mosely believes that posterity would have forgiven Mountbatten if he had told the Maharaja: 'All right, let India take it over. They will guard its frontiers better, even if its people are Muslim.' Or: 'Give it to Pakistan. It is Muslim territory. As a consolidated Muslim block, Kashmir will help to protect the Northern frontiers of India too against outside invasion.' "What is surprising is that he not only said neither, but that he also did not bounce into the Maharaja's bedroom and declare, with typical Mountbatten boldness: 'Look, I know you are trying to get out of a difficult decision. You want to be independent and you know you can't be. As a Hindu, your inclination, if you have to accede to someone, is to opt for India. But you know your people won't like it. You know they would rather favour Pakistan. It's a problem, I admit. But for God's sake, man, make up your mind. And if you don't make up your mind before I leave for Delhi in two hours' time, I shall make up your mind for you and announce it to your people.'

Why did Mountbatten fail to prove that he was

capable of this bold gesture ? It is difficult to dispel the doubt that he was out to help the Hindu Congress and encouraged the Maharaja to keep up his practice of equivocation till the Radcliffe Award was out. The Award converted India and Kashmir into 'geographically contiguous areas'. It was a narrow, mountainous strip but it has widened over the years as it became the epicentrum of volcanic eruptions which have sapped the foundations of friendship between India and Pakistan. Mountbatten fashioned two states out of the subcontinent ; if the welfare of *all the people* who lived in the undivided country was close to his heart, he should have placed Kashmir where it belonged and not diplomatically tried to put the claims of India and Pakistan in the same scale of values. Mountbatten had assured the Maharaja that "were he to accede to one Dominion or the other before 15 August, no trouble would ensue, for whichever Dominion he acceded to would take the State firmly under its protection." Addressing the East India Association in London, Mountbatten said, "in the case of Kashmir I went up personally and saw the Maharaja. I spent four days and on every one of those four days I persisted with the same advice : 'Ascertain the will of your people by any means and *join whichever Dominion your people wish to join* by August 14 this year."

These statements tend to give an impression of Mountbatten's impartiality but is it not intriguing that he held out these assurances weeks before the boundary awards were announced ? At that time the presumption was that "other factors" would only operate in exceptional circumstances and Muslim majority district of

Gurdaspur (at least three out of four tehsils where Muslims were in absolute majority) would be given to Pakistan. Thus, if it had been a just award, the Maharaja had no option and Kashmir could only accede to Pakistan. Referring to boundary awards, Mountbatten said on 9 August that, "If he could exercise some discretion in the matter he would much prefer to postpone its appearance until after the Independence Day celebrations . . ." Today, we wonder whether it was anybody's discretion or Lord Mountbatten's dictation. Mountbatten was all the time insisting that the Maharaja of Kashmir should ascertain 'in one way or another' the will of his people. How is it that for States like Hyderabad, Jodhpur, Jaisalmere, there was only 'one way'—accede to India. In the case of Kashmir, he suggested a number of methods like 'referendum, plebiscite, election, or even representative public meetings' but in the case of other states he assumed the role of a negotiator to ensure their accession to India without any such democratic paraphernalia. Aside from the fact that the people of Kashmir and already *in one way or another* expressed their preference for Pakistan, how could Mountbatten take delight in mincing matters and leave such an important issue to the will and whim of an autocratic ruler? Mountbatten should have known that the Maharaja had no need 'to ascertain the will of the people' and even if he was persuaded to try some of the proposed means, he could have rigged the results without facing an election petition in a court of law. The plain fact is that Mountbatten remarkably succeeded in conveying to the Maharaja that he could accede to India without feeling the pricks of a guilty conscience;

whatever the repercussions, he should not be afraid of consequences because his state will be 'under its protection'. The Congress leaders of India could never hope to have a more understanding Governor-General !

Deeds and Declarations

Mountbatten always sternly reminded Pakistan of the 'principles of partition' but he followed the advice in case of all the states except Kashmir. Like Hyderabad, Junagadh was a Hindu majority State with a Muslim ruler and was linked to Pakistan by sea. The Nawab of Junagadh offered accession to Pakistan but, within a few weeks, the Indian "Azad Fauj" invaded and occupied the State. As soon as Quaid-i-Azam, Governor-General of Pakistan, accepted the accession, he received the following telegram from Mountbatten: "Such acceptance of accession by Pakistan cannot but be regarded by Government of India as an encroachment on India's sovereignty and territory and inconsistent with friendly relations that should exist between the two Dominions. This action is in utter violation of principles on which partition was agreed upon and effected." Again, Mountbatten lost no time in summoning the Maharaja of Jodhpur who desired to accede to Pakistan. Menon says: "Lord Mountbatten made it clear that from a purely legal standpoint there was no objection to the ruler of Jodhpur acceding to Pakistan; but the Maharaja should, he stressed, consider seriously the consequences of his doing so, having regard to the fact that he himself was a Hindu; that his State was populated predominantly by Hindus and that the same applied to the States surrounding Jodhpur. In the light of these considera-

tions, if the Maharaja were to accede to Pakistan, his action would surely be *in conflict with the principle underlying the partition of India* on the basis of Muslim and non-Muslim majority areas; and serious communal trouble inside the State would be the inevitable consequence of such affiliation". If Mountbatten had applied the same criterion in the case of all states, he would not have liked to give a free choice to the Maharaja because, according to the rationale of partition scheme, Kashmir should have been awarded to Pakistan. Animated by a profound sense of fairness and highest moral scruples, Quaid-i-Azam exhorted the Kashmir government to consider the accession issue after realizing "the interests not only of the ruler but also of the people".

Immediately after the announcement of June 3 plan, a number of Congress leaders tripped to Kashmir. It was not an excursion traffic but business tour; it was not even a vacation on medical advice or for the fun of fishing in the Dal lake or joy rides in the bedecked *shikara*. They got themselves invited because the wavering Maharaja could be made to tow the Indian line. The Muslim League leaders were not welcome. Mountbatten prevailed upon Quaid-i-Azam to cancel his programme of going to Kashmir but blessed Gandhi's visit to Srinagar. As more time ticked by and the "appointed day" was nearing, Gandhi thought that the best way to resist a temptation was to yield to it. Gandhi left for Srinagar on 1 August and immediately got in touch with Swami Sant Dev, the Maharaja's spiritual mentor, who was notoriously known as the Rasputin of

the Court of Kashmir. These mysterious moves later confirmed Pakistan's suspicions that there were no gentlemanly negotiations to decide what was right and proper to do in the circumstances, but that the stage was being set for a shady bargain with the Hindu Congress leaders to be announced at the appropriate psychological moment. *The Times* correspondent reported that "the Hindu Maharaja of Kashmir, Sir Hari Singh, has lately been influenced by representations made by Mr. Gandhi." Recalling this period, Pyeralal, Mahatma's Private Secretary, wrote: "The measure of Gandhi's success can be judged from the report of his visit that he sent to Nehru and Patel. "I met the Maharaja and the Maharani. However much they might wish to join the Union (of India), they would have to make the choice in accordance with the wishes of the people . . . Bakhshi (Ghulam Mohammad) was most sanguine that the result of the free vote of the people, whether on the adult franchise or on the existing register, would be in favour of Kashmir joining the Union (of India) provided of course that Sheikh Abdullah and his co-prisoners were released, all bans were removed and the present Prime Minister was not in power. The only question (before him) is how . . . *In my opinion the Kashmir problem can be solved.*"

After Gandhi's visit, the 'Kashmir problem' was on the way to being 'solved'; Prime Minister Kak was removed, Abdullah was released and even British officers in the State police and army service were dismissed. Another spectacular result was the decision to have a new road link between India and Jammu. All these

facts were revealed not only by the reports that reached Pakistan during those momentous months but by the dispatches sent by foreign correspondents to their newspapers. It was known that "orders have been issued by the Kashmir Government that a temporary boat bridge should be constructed over the Ravi near Pathankot (India) so that vehicular traffic could be maintained between Jammu and the Indian Union. The metalling of the road from Jammu (town) to Kathua (in Jammu Province) is also proceeding at top speed. The idea is to keep up some sort of communication between the State and the Indian Union, so that essential supplies and troops could be rushed to Kashmir without having to transport them through Pakistan territory. These orders were kept as top secret lest the Pakistan Government smell these shady moves. But somehow it leaked out and a local daily paper, belonging to the Kashmiri Pandit Sabha, published it. When other papers and news agencies tried to copy it, the censor stepped in and prohibited its publication in the State and circulation outside."

Three weeks later, the Kashmir Government confirmed the news that "it is linking the State, via Pathankot, with the East Punjab, and throwing a bridge over the River Ravi. The work is already proceeding at top speed. Temporary arrangements are also under way to make it possible for vehicles and other transport to cross the Ravi. In short, every effort is being made to render the State independent of the two existing arteries of communications that link Kashmir with the outside world. Both these run through Pakistan. "Once the

communication lines between the State and Hindustan become actual, it is generally believed in the highest circles, that the Maharaja will burst forth with a declaration of accession to Hindustan. In the Muslim circles throughout the State, it is said that such a declaration would be tantamount to a declaration of war against 80 per cent of the Muslim population of the State, as well as against Pakistan." Again it was reported that "with Indian assistance the State improved the road to Jammu, constructed a telegraph line along it, and started work on the road to link Bagh in Poonch with the main Jhelum Valley road to Kashmir near Chikar. This latter road was to give India through Jammu, Naushera and Kotli a road open throughout the year to the Vale of Kashmir, which is normally inaccessible in winter by the Jammu-Banihal road."

Gandhi's mission was a success ; all these building projects were undertaken well before the announcement of boundary award because they knew that it will open Kashmir's door to India and the Maharaja would eventually accede to India. In case there is a request for military help, they wanted to ensure that there is no impediment in the line of communication to facilitate troop movements. Meanwhile, Maharaja Hari Singh had acquired the services of R.S.S. and other militant Hindu groups and Sikh bandits to clear the State of all pro-Pakistan elements before he announced accession to India. The Kashmir Muslim Association referred to "alarming reports that during the last few days gangs of Dogra soldiers are combing out all those who are known to be supporters of Kashmir's accession

to the Pakistan Dominion. Muslim personnel of the State military and police have either been disarmed or arrested ; several important officials have been dismissed and hundreds of political workers have been lodged behind the iron bars of the dingy State cells. There have been innumerable instances of looting of the houses of the political workers." Anticipating Pakistan's strong reaction to these wanton acts, the Maharaja signed a standstill agreement with her on the eve of independence. It was a lure to serve the purpose of a lull—to create a false sense of security among the Muslims who were made to believe that the agreement was the first step towards Kashmir's ultimate accession to Pakistan. As the ground for accession was being evened, the Indian Government, in a letter to London on 1 September, detailed its postal destinations which included a list of all the post offices in the State of Jammu and Kashmir. According to the standstill agreement, Pakistan was responsible for Kashmir's communications, but Maharaja's government returned all the stamped letters marked 'Pakistan'. Thus, India did not care to sign a standstill agreement : why should they be content with the smaller fry when they were expecting to ride on the whale of Kashmir. A few days before Radcliffe Award was released, copy of a secret draft treaty between the Maharaja and India was recovered from the baggage of Thakore, a cousin of Hari Singh, whose aircraft developed engine trouble and was forced to land at Lahore.

Award or Reward

Inside Kashmir, the smouldering embers burst into

a flame of rebellion even before the British quit the subcontinent and India and Pakistan were born as two independent states. The Radcliffe Award should have heralded the dawn of this day but, as a British writer laments, "a people desperate to know deliberately kept in ignorance of which country they belonged to until two days *after* independence". But, regarding the future of Kashmir, the Indian leaders knew the intriguing details of the boundary award *before* independence. Mountbatten had assured that the boundary awards would be duly publicised before August 15. The appearance of this historic document was deliberately delayed because he did not wish that the Independence Day festivities should be marred in any way! As the subcontinent was freed under his exalted viceroyality, it was his ardent desire that the occasion should be happily celebrated throughout the country. But, little did he realize that, as he was partitioning British India, he was unevenly distributing joy and sorrow: when the Radcliffe Award saw the light of day, anybody could see the shadow of darkening clouds over the subcontinent. Quaid-i-Azam, a great gentleman, accepted it but expressed his right of dissent in these words: "The division of India is now finally and irrevocably effected. No doubt we feel that the carving out of this great independent Muslim State has suffered injustices. We have been squeezed as much as it was possible, and the latest blow that we have received was the Award of the Boundary Commission. It is an unjust, incomprehensible and even perverse award. It may be wrong, unjust and perverse; and it may not be a judicial but a political award, but we have agreed to abide by it and it is binding upon us.

As honourable people we must abide by it. It may be our misfortune but we must bear up this one more blow with fortitude, courage and hope." As the Gurdaspur district was assigned to India, the fate of Kashmir was sealed. It was only a window but the unjust award justified the worst fears of Kashmiri Muslims, confirmed Pakistan's misgivings and threw lurid light on Indian intentions. As the freedom movement gained momentum in Poonch and western Kashmir, more and more Muslims were either massacred or forced to flee to Pakistan. The alarm bell had rung; the portents were becoming clearer; the Kashmiri Muslims could scent it as a foreboding; the preparations afoot presaged a blood bath.

Thus, the month of September was devoted to trimming operations, the last-minute finishing touches to the groundwork. Abdullah was dramatically presented on the stage; General Janak Singh who replaced Kak was also out and Mehr Chand Mahajan was appointed Prime Minister of Kashmir. Gopalaswami Ayyangar, the infamous Prime Minister of the Maharaja during the late thirties (he loved the practice of dragging the patriots, tied to his car, as a mobile lesson to the people) entered the Indian cabinet as "minister without portfolio". During a period of emergency, when a cabinet member has no ministry attached to his office, it must be an importantly suspicious assignment. And another very significant development—a provisional defence committee was constituted and Mountbatten condescended to chair it "in view of his knowledge and experience of high military matters". It appeared there was a big

battle ahead; on 26 September, even Gandhi, universally known as a votary of non-violence, had to interrupt his prayer meeting to declare: "If Pakistan Government persistently refused to see its error and continued to minimise it, the Indian Government would have to go to war against it." Gandhi said it without anguish because Pakistan was an enemy from its birth. What is more, Pakistan had created an occasion for 'war against it' because she refused to condone their crime in Kashmir. But, how could we shut our eyes when the State of Jammu and Kashmir had become a slaughter-house and Muslims were being butchered every day by hundreds. Pakistan was ready to pay the price for her alignment with the Kashmir cause. Thus, they had to denounce Pakistan; a press note described the trouble-makers as 'ruffians from the west bank of Jhelum' and 'gangs from over the border'. Thus, the Maharaja's Government wished to imagine that the State was swamped with Pakistani saboteurs, spies and agents.

Unable to control the mounting resistance against his administration, Mahajan threatened that if his request for an 'impartial enquiry' was turned down, 'the Government much against its wishes will have no option but to ask for assistance to withstand the aggressive and unfriendly actions of the Pakistan people along our border'. Who could provide this 'assistance' except India? Quaid-i-Azam immediately sent a telegraphic reply to the Maharaja: "The threat to enlist outside assistance shows clearly that the real aim of your Government's policy is to seek an opportunity to join the Indian Dominion, as a *coup d'etat*, by securing the

intervention and assistance of that Dominion. This policy is naturally creating deep resentment and grave apprehension among your subjects, 85 per cent of whom are Muslims. The proposal made by my Government for a meeting with your accredited representative is now an urgent necessity". There was no reply; another two weeks passed and they continued to assume a 'thunderous silence'. It was least unexpected because the Maharaja and Mahajan were marking time, prolonging the matter and did not even take the chance of discussing the question as it was very risky then to have a 'friendly settlement' with Pakistan. Thus the charge of complicity is difficult to disprove; the contingency plans were ready well in advance; they were in search of a pretext to strike and subjugate Kashmir. Menon, Patel's confidant and counsellor, advised his Government "that communal flare-up in north India had made the non-Muslim rulers turn away from Pakistan and . . . that *we should use this development to our advantage.*"

Action and Reaction

There is an Arabic adage that "vengeance should always pursue crime". Could there be a more grave crime than genocide of a people at the hands of rulers who did not originally belong to the land? In the eyes of the Hindu Maharaja and his pet hounds, the people of Kashmir deserved no quarter because they wanted freedom and no mercy because they were Muslims. It was a reign of unbridled violence; the people had to see to believe their viciousness; the atrocities committed by

them perhaps proved 'how close the improbable can be to reality'. As these monstrous tales travelled over the mountains, a wave of anger and indignation swept through the adjoining northern areas of West Pakistan. Next door to the scene of carnage lived the hardy Pathans of the tribal belt; they were bound to be provoked as the blood of their brethren was being shed; the valiant warriors crossed the frontier and entered Kashmir with their hand-made rifles. Given to ruses, the Maharaja prostrated before his Indian patrons who were waiting for an opportunity 'to rush in arms and ammunition *already requested* by the Kashmir Government'. The Indian propaganda guns boomed and the Congress leaders made a bittern's cry that it was 'rape of Kashmir' and the 'raiders' must be thrown out before the state Government capitulates. It was a gross misrepresentation of events that had created an anarchical situation in Kashmir; it was another ingenious device to screen their ghoulish crimes from the glare of world censure. As the special correspondent of *The Daily Telegraph* wrote: "It was undoubtedly tales of horrible cruelties against their co-religionists in Jammu, coupled with heartening news of the insurrection, which first set them on their course of invasion."

The tribal incursion was the consequence and not the cause of explosion in Kashmir. The people of Kashmir were going through fire and water much before the tribesmen came to rescue them from the clutches of a Maharaja whose experiments in repression and ruthlessness had almost obliterated the difference between the living and the dead. The ignition's spark was

provided by the people themselves and as Pakistan Foreign Minister later told the Security Council: "the Maharaja, for purposes of his own, let his troops loose upon his people in certain areas, particularly in Poonch; he let bands of Sikh and Rashtriya Sevak Sangh volunteers create havoc in certain parts of the Jammu province of his state and that against these barbarities the people of the State rose in revolt." According to Philips Price, "the historical fact is that the initiative for this pro-Pakistan movement came from the people of west Kashmir. Pakistan troops took no part in it and Jinnah, in spite of pressure from his own people, refused to move troops across the frontier, which he could easily have done. Meanwhile irregular tribesmen from the North West Frontier crossed the North Punjab and gave aid to the revolting Poonchis." *The New York Times* equally discounted Indian Government's references to 'Azad forces as raiders' and emphasised that most of them are 'native Kashmiris in revolt against Hindu Government of the princely State'. In a broadcast, the Pakistan Prime Minister said: "The stress has deliberately been shifted to the so-called raiders as if the people of Kashmir themselves had suddenly wiped off their minds the memory of the century-old oppression and had overnight become enamoured of their oppressors. To present the rebellion of an enslaved people to the world as an invasion from outside simply because some outsiders have shown active sympathy with it, is a dishonest re-writing of history . . ."

Having made a close study of the Kashmir problem, Lord Birdwood thought that "the tribes had let

it be known that whatever attitude the Pakistan Government took, they would not be deterred from moving to the assistance of their brothers in distress. The first news of actual movements reached the Governor of the Frontier Province on 20th October, when it was reported that 900 Mahsuds had left Tank in lorries for Kashmir. He immediately ordered their advance to be blocked at Kushalgarh, but they were already across the Indus. Simultaneously, news came from General Ross McCay, who commanded the Peshawar Division, that tribesmen in lorries were crossing the Attock Bridge. McCay was then asked by the Governor to take preventive action, but was quite unable to do so, since at the time he had no formed units ready. There are many precedents in history for unofficial support of a movement on foreign soil from sympathisers from another country. Englishmen have fought within recent years on both Spanish and Finnish territory in sympathy with their friends. Naturally there are protests. But the answer has usually been that it is not possible to control the movements of those who offer their services in a cause in which they passionately believe." India expected these men to utter this soliloquy: "My brother may have been killed, my father may have been killed, my wife may have been raped and my children butchered, but I am a member of the Pakistan forces and must not retaliate". Sir Zafrullah added: "That kind of thing might be expected of angels, but it cannot be expected of human beings. I will say that a man would be a despicable coward if, under those circumstances, he did nothing to help."

The Maharaja was on the brink of a big decision;

as the weekly *Economist* of London warned: "The Hindu Maharaja of Kashmir is believed to incline towards accession to India and would probably take this step sooner or later if the right of autocrat were to be recognised as the only rule." *The New Statesman* had similarly hinted: "In Kashmir, the predominantly Muslim population is badly and oppressively ruled by a Hindu" who was about to declare "complete independence or accession to India."

How it Happened?

At last the Maharaja applied to the Indian Government for a 'defensive umbrella' to protect his people from the rain of bullets as 'Afridi soldiers in plain clothes were marching on with the aim of capturing Srinagar as a first step to overrunning the whole State.' What these 'free-booters' and 'desperadoes' have done, the Maharaja said ruefully, "makes my heart bleed"! It was a 'grave emergency' and 'if my State has to be saved, immediate assistance must be available . . .' Pakistan was convinced that the motive behind courting outside intervention was 'to complete the suppression of Muslims' and then 'join the Indian Dominion as a *coup d'etat* against the declared will of the people'.

The last act of the drama was the act of accession. The progress of the play was subtly leading to this catastrophe. Mountbatten prefaced his promise to send troops by the urgency of accession. It was considered "height of folly to send troops into a neutral State, where we had no right to send them, since Pakistan

could do exactly the same thing, which could only result in a clash of armed forces and in war. He therefore argued that if indeed they were determined to send in troops, the essential prerequisite was accession." It was a double-edged design because accession would justify armed Indian intervention and forestall any move by Pakistan to send her regular troops to Kashmir. The Maharaja surrendered according to agreement and attached the instrument of accession to his letter. It happened on 26 October; within a few hours, the Indian troops landed in Srinagar; the time factor was so baffling that General Sir Frank Messervy, commander-in-chief of the Pakistan army, was led to find 'much evidence that this accession had been deliberately planned for some weeks before the event'. It was 'rather significant' that the very day the Governor-General of India signed the instrument of accession, Indian troops were in Srinagar. It had to be so because for two days before accession, Mountbatten had spent long hours in deliberating the issue 'with his war Service Commanders and thrashed out his scheme of operations with them'. According to one authentic source, "his orders to the Service Chiefs were that troops should be landed in Kashmir on the forenoon of October 26—twentyfour hours before the accession. This proved impossible and the first Sikh troops landed at nine in the morning of October 27." Above all, the credit goes to Mountbatten because his "extraordinary vitality and canniness were well-adapted to the demands of the hours," as Campbell-Johnson wrote in an impassioned appreciation. Gandhi was so visibly excited by the accession, followed by air-lift of Indian troops, that he called them 'spartans' who

were 'bravely defending Kashmir.' But, the world outside India wondered whether it was an act of accession or act of acquisition; to Pakistan they were not liberators but invaders; for the Kashmiris, they did not come as protectors but predators.

It is often asked why and how Lord Mountbatten accepted the grave responsibility for Kashmir's accession to India, inspite of all the prohibitive factors known to him. "Why, for example," Josef Korbel asked, "did he advise that Indian military assistance to the Maharaja must be covered by the legal technicality of accession? How could he have reasoned that it would be illegal for Kashmir (which was at time of invasion technically an independent country) to ask for military help from India without preceding the request by accession? He must have assumed that the Pakistan Government would refuse in any case to recognize the legality of such accession brought about without prior determination of the will of the Kashmiri people. He must have known that if war over this issue were to develop between these two Dominions, it would not be on the basis of the legality of such a method of accession, but rather over the fact itself. Why was there at this point no appeal made to the United Nations from either the technically independent Government of Kashmir or from Delhi? The record reveals no hint that such a possibility was even mentioned. But, finally, it is most difficult to understand why no one, particularly Mountbatten, advanced the most obvious idea, that of immediately getting into contact with the Karachi Government for consultation." Another foreign observer asks: "How

was it, then, that on 24 or 25 October no one in Delhi thought of getting on the telephone to the Pakistan Prime Minister and dealing with the crisis as a solemn responsibility to be shouldered by a display of joint statesmanship? If Mr. Nehru could not have risen to the occasion of his own free will, was there no one at his elbow of sufficient vision (the reference is to Mountbatten) to have influenced him to do so? Therein was the tragedy".

All these anxious queries and puzzling questions merely served to expose the farcicality of the whole thing; confabulations on accession were in progress at the highest level before the 'infiltrators' forced the Maharaja to fall at the feet of Mountbatten! Of all the persons Mahajan admits that he had "discussions in New Delhi with Patel, Baldev Singh and Nehru on the terms on which the Maharaja of Kashmir might accede to India and the day after he had formally become the Prime Minister of Kashmir, V. P. Menon advised him to bring about Kashmir's accession to India if he possibly could. On the same day Lord Mountbatten, while evidently thinking it probable that Kashmir would in fact go to Pakistan; yet said that as Governor-General of India he would be *very happy* if I (Mahajan) advised the Maharaja to accede to India". Mountbatten decided to opt for happiness but did not realize that whether it was act or fact of accession, it was not defensible from any side. The real issue was relegated to the oblivion and the stress was on the legality and logicality of Maharaja's action and India's acceptance.

As India's case was devoid of substance, she had

to catch at a straw to convince the world that the Maharaja's act was legally correct and proper, but they say that a straw shows which way the wind is blowing. Other factors apart, even the legal validity of the act is open to question because, at the time of accession, the Maharaja did not even formally scrap the standstill agreement with Pakistan. What were the legal implications of this agreement? It devolved upon Pakistan the same obligations which India had assumed in respect to Hyderabad. Under the terms of India's standstill agreement with Hyderabad, the State could not "have relations with any country other than India" and had to accede to India. According to Pakistan's standstill agreement with Kashmir, the State could not have relations with India and it was obligatory on her part to accede to Pakistan. Thus Kashmir's accession to India ceases to have a basis in law or fact. Secondly, he was deprived of a large part of the State by the people who had risen in revolt and formed a free Government of their own. Furthermore, the conditional character of the accession cast a shadow of doubt on its constitutional propriety and proved that the Maharaja did not possess unfettered authority to accede to India. *If it was a temporary measure, why the issue of accession was not submitted to the popular vote of the people?* But all these finer points of international law or morality had no meaning for India because the coup was conducted 'according to plan'. Even the charge of betrayal appears sometime so unrealistic because, as in a play, depicting a scene of violence and valour, it would look odd if someone got up from the audience and shouted at the end: 'you have betrayed your best friend'! When a play

has been properly conceived, periodically rehearsed and flawlessly enacted, the spectators have the right to be shocked but not surprised if they disagree with the denouement. India had chemically examined all the ingredients and decided in time that the recipe for Kashmir could only be made up of force and fraud.

Inspite of the provisional character of the act of accession, Indian publicists soon began to proclaim it as 'final and irrevocable' but the truth is that the ship of this state was left in doldrums when the British colonial rule came to an end. According to official Indian version of these developments there was no revolt against the Maharaja but Mr. Menon admitted in his revealing book "the spontaneous desertion of the entire Muslim element of the Kashmir state forces". The Maharaja's fateful decision to accede to India was an open invitation to bullet, though even before he took this action his intentions were known and the people had risen in revolt. But his formal and fraudulent offer of accession to India was a signal for a popular upheaval, the start of a mighty freedom movement under the inspiring leadership of Chaudhry Ghulam Abbas and Sardar Mohammad Ibrahim Khan. A dynamic youngman, Sardar Abdul Qayyum Khan, fought heroically against the Dogra army; he "gathered a handful of men around him and on 1 October, raised the banner of revolt at Neelabut, stormed the Dhirkote Police Station, captured the ammunition store, had a direct clash with the battalion at Chirala, which was routed". It was the culmination of a struggle that began many years ago, but gained

strength and intensity when the Jammu and Kashmir Muslim Conference was formed in 1931. The hour had struck; the time was ripe; the State was seething with discontent; the people were ready to resist; and when the Maharaja's men asked Muslims to surrender arms, the choice was between life and death. The Kashmiri veterans and ex-servicemen of the second world war became the spearhead of the struggle, and small resistance groups began to grow everywhere. The Maharaja was alarmed by the reports of civil disobedience in Poonch and the complete rout of the Dogra troops in Mirpur, Muzaffarabad and Bagh. With the arrival of tribal warriors and Punjab volunteers, the Azad forces were reinforced and it became an all-out fight. The panicky Maharaja flew from Srinagar and took shelter in Jammu.

The Cloak and Dagger

His only hope was the Indian army which had been sent to Kashmir, as Mountbatten's letter said, "to help your own forces to defend your territory and to protect the lives, property and honour of *your people*"! Was the Indian army shielding the miserable Maharaja and macabre doings of his henchmen from 'invading hordes' or shooting and shelling the Kashmiri patriots who were trying 'to protect the lives, property and honour of *your people*'. There could not be a more brazen-faced lie; perhaps the art of effrontery is as Indian as the khaddar cap. These people were already victims of Indian aggression; now they were declared dupes; Ghandhi would not have relished his own coinage if it was called 'Himalayan hypocrisy.' The vast majority of these people were Muslims who were being killed, tortured, looted

and dishonoured. It was against these people that the whole mechanism of Maharaja's Government was employed before and after the arrival of Indian army. Who were in danger of being exterminated or expelled—these people or members of the ruling Hindu clique? A million of these people were either massacred or hounded out of the State. The freedom fighters among these people were called 'evilly-disposed persons' and 'gangsters supported by a few local hostiles'. As Pakistan pointed out, "It is not Kashmir but a tottering despot that the Indian Government and their camp followers are trying to save" Now the calamities fell on these people in rapid sequence . . . In the words of Calcutta's *Statesman*, "Within a period of about eleven weeks starting in August, systematic savageries, similar to those already launched in East Punjab practically eliminated the entire Muslim element in the population, amounting to 500,000 people. About 200,000 just disappeared, remaining untraceable, having presumably been butchered, or died from epidemics or exposure. The rest fled destitute to West Punjab". Thirteen days before the 'tribal attack', *The Times* of London reported, "237,000 Muslims were systematically exterminated, unless they escaped to Pakistan, by the forces of the Dogra State, headed by the Maharaja in person." Referring to the Jammu holocaust, Sheikh Abdullah expressed the fear that 'the same thing might be enacted' in the valley. The Muslim population in Kashmir might have been nearly wiped out but for the fact that there were many demobilised soldiers in the State and its nearest and biggest neighbour was a Muslim country. It was such an organised violence that the genocidal plans had the

same sanguinary pattern—disarm the Muslims, give their arms to Hindus and sikhs, have an intermission to allay suspicions and prepare for fresh attacks; then signal the soldiers and the supporting civilian murder squads to finish as many Muslims as they could and drive out the rest; the final stage was kidnapping young women, looting and burning. Armed with axes, spears, guns, rifles and all kinds of automatic weapons, they carried out their bloody mission without a stir in official circles. For weeks on end, it was a ceaseless cycle of killing, arson and rapine. Thus, village after village was emptied and ransacked in this diabolical fashion. The story of the great Jammu massacre would make anybody's hair stand on end (See Appendix I).

For Pakistan, there was no way to turn the tide of these portentous events except to become 'thoroughly concerned about the outcome of the struggle'. The time-table of these events was a clear pointer to the shape of things to come. Quaid-i-Azam ordered General Gracey, the British commander-in-chief of the Pakistan army, to despatch troops to Kashmir. Gracey expressed his inability to act without instructions from Field Marshal Auchinleck who was then the Supreme Commander. Auchinleck flew to Lahore and told Quaid-i-Azam that if he did not withdraw his order, all British officers would withdraw in case of an open war between the two Dominions. He succeeded in dissuading the Quaid-i-Azam from armed intervention in Kashmir and proposed a conference in Lahore with Mountbatten and Nehru. Nehru feigned illness; Patel, the redoubtable deputy Prime Minister, refused to go to

Lahore; at last Mountbatten came to confer with Quaid-i-Azam on 1 November. Quaid-i-Azam suggested three steps to stop fighting and effect a peaceful settlement of the dispute :

1. To put an immediate stop to fighting, the two Governors-General should be authorized and vested with full powers by both Dominion Governments to issue a proclamation forthwith, giving forty-eight hours' notice to the two opposing forces to ceasefire. The Governor-General of Pakistan has no control over the forces of the Provisional Government of Kashmir or the tribesmen engaged in the fighting, but he will warn them in the clearest terms that if they do not obey the order to ceasefire immediately, the forces of both Dominions will make war on them;

2. Both the forces of India Dominion and the tribesmen to withdraw simultaneously and with the utmost expedition from Jammu and Kashmir State territory;

3. With the sanction of the two Dominion Governments, the two Governors-General to be given full powers to restore peace, undertake the administration of Jammu and Kashmir State, and arrange for a plebiscite without delay under their joint control and supervision.

Mountbatten turned down the proposal because he was powerless to act 'without his government's advice'. For him, "it would be constitutionally improper to undertake this duty". On more occasions

than one, Mountbatten had not only acted independently but behaved authoritatively; in this case he was not competent to commit without prior consultation with his Government! When he was busily engaged in the disposition of Indian states, the distinction between coercive and constitutional methods had become more tenuous than real. Mountbatten perhaps needed to pose as a very constitutional Governor-General; if he took his limitations so seriously, he should not have even suggested that the wishes of the Kashmiri people should be ascertained through a plebiscite under the supervision of United Nations. The only difference was a mode of reference to the people; Quaid-i-Azam's proposal was primarily meant to save time and not drag the issue at a time when passions were running high. Is it unfair to conclude that Mountbatten insisted on a lengthier procedure, fraught with complications, to enable the Indian Government to consolidate their position before United Nations' advice and assistance was available? Mountbatten's defence counsel would still like to argue that the charge of collusion is a myth. But, what reasons compelled Mountbatten not to agree with Quaid-i-Azam? The only explanation is that they had "become wholly pro-Hindu", as Ian Stephens records his impressions of a dinner meeting with Lady and Lord Mountbatten. He recalls that "the atmosphere at Government House that night (October 26) was almost one of war. Pakistan, the Muslim League and Mr. Jinnah were the enemy . . ."

Quaid-i-Azam had made a simple and straight offer. Could there be a more fair and feasible plan to liquidate the consequences of tribal incursion and Indian

invasion and secure a speedy and peaceful solution of the Kashmir conflict? Above all, it would have put an immediate end to fighting and saved the people of Kashmir from more horrors and humiliation. It was the most opportune time to bury the bitter past; once the Kashmir problem was out of the way, India-Pakistan relations could perhaps acquire a new dimension of mutual respect and understanding. The opportunity was lost and seeds of discord were deeply laid; today, after two decades, we are still reaping the harvest.

In a broadcast on 2 November, Nehru supported Mountbatten's plebiscite proposal but, having conspired to attack Kashmir, the Indian Government were now "determined to force a military decision on Kashmir and to reduce the plebiscite to a farce by eliminating the Muslim population by the cruel methods which are now in operation". Anxious to break the ice, Pakistan accepted India's offer and Liaquat Ali Khan sent the following telegram to Nehru on 16 November: "We are ready to request UNO immediately to appoint its representative in Jammu and Kashmir State in order to put a stop to fighting and to the repression of Muslims in the State, to arrange the programme of withdrawal of outside forces, to set up an impartial administration of the State, till a plebiscite is held and to undertake the plebiscite under its direction and control for the purpose of ascertaining the free and unfettered will of the people of the State on the question of accession." Nehru's delayed reply appeared to be a rigmarole but it deserves more than a casual study: "Since the United Nations have no (repeat no) forces at their disposal, we do not

see how they can put a stop to the fighting or to the alleged repression of Muslims. This can only be done by an organized military force, and is *being done by our troops.* It is not clear to me what the United Nations Organization can do in the present circumstances in Kashmir until peace and order have been established. *We are convinced that Sheikh Abdullah's administration is based on the will of the people and is impartial*".

Firstly, Nehru flatly declined to withdraw Indian armed personnel from Kashmir because the 'raiders' were still 'despoiling the country'. Secondly, within a week, Nehru disclaimed his own offer (accepted by Pakistan as a gesture of goodwill) of a plebiscite under United Nations auspices because he was not sure how this world body could help us except to send "observers to advise us regarding plebiscite". Finally, there was an implicit refusal to hold a plebiscite because Sheikh Abdullah, 'my most valued colleague' and 'beloved of the people' has been saddled in the seat of power. Thus any reference to the people would be redundant because Abdullah is the head of a popular government. Declared a 'traitor', Abdullah's political resurrection was a miracle to many. How he was freed when Kashmir was on fire, how he visited New Delhi and met the makers of modern India and how Mountbatten's Government (in an official letter relating to accession) noted 'with satisfaction' that the Maharaja had decided to appoint Sheikh Abdullah as a Prime Minister—all these snapshots, pieced together, make a moving picture.

In fact, India wanted to control and conduct the plebiscite without Pakistan's participation and the United



FREEDOM FOR TOURISTS: An enchanting picnic spot somewhere in the heart of Azad Kashmir.



Sher-i-Kashmir Sheikh Mohammad Abdullah addressing a mammoth public meeting in Srinagar.

Nations could send their representatives to act as observers. In the case of Hyderabad, the government of India thought that "plebiscite without an interim government representative of and satisfactory to the majority population" in the State will only be "a fraud on the people". Thus, Pakistan should have been actively associated with the Kashmir government even before the stage was set for a plebiscite. If the precedents set by India herself were to be followed, she should have nothing to do with a plebiscite in Kashmir. If Pakistan could not be a party to the holding of a plebiscite in Junagadh (which had finally acceded to Pakistan) because it was a Hindu majority state, how could India be a party to a plebiscite in Kashmir (which had provisionally acceded to India) as its population was predominantly Muslim. But, as Pakistan Prime Minister explained, "The India Government's insistence upon the retention of their troops in Kashmir until they have restored law and order to their own satisfaction, can only mean that Indian troops will stay in the State until they have crushed by military force all opposition to their permanent occupation of Kashmir. The methods by which the maintenance of law and order is used to consolidate an alien rule are well-known".

As winter wore on, the inter-state communication was largely confined to telegrams; the differences were becoming more critical and Pakistan could not even find a basis for discussion between the two governments. In the last week of November, Liaquat visited Delhi; on 8 December Nehru came to Lahore but the talks were deadlocked because India was not even ready to

co-sponsor a proposal to the United Nations for holding a plebiscite in Kashmir. As India was off the trail and busy sidetracking, the futility of these parleys was being realized by all. As India began to entrench herself, it became increasingly difficult to stop escalation of the conflict ; for the people of Kashmir, the situation had almost reached the saturation point. There was no end to bloodshed and Kashmiri Muslim refugees continued to pour into Pakistan. But, in April, 1948, there was a sudden shift in the scene when the Indian troops began a blitzkrieg with the avowed object of destroying all opposition and make the occupation of the State "an accomplished fact". It was a serious situation when they were within striking distance of the Jhelum canal headworks, so perilously near the Pakistan border. Thus, in May 1948, the Pakistan troops entered the Azad Kashmir territory as a purely defensive measure to ward off any possible Indian inroads into Pakistan. It was five months after India had moved the Security Council for "immediate action" in Kashmir. But the fighting continued up to 1 January, 1949, when the Security Council arranged a cease-fire which was welcomed by India and accepted by Pakistan on the express condition that it would be *followed by demilitarization and plebiscite.*

Tailpiece

Alastair Lamb, a British writer, poses an academic question and seeks to answer it in terms of a hypothetical situation : "Let us imagine that the Government of British India had annexed Jammu and Kashmir State in 1885, as it indeed considered doing. How would this

have affected partition in 1947? One cannot escape the conclusion that a British annexation would have eliminated the problem. Had Jammu and Kashmir State formed part of British India in 1947, it would have without doubt been included in the same process which brought about the partition of the Punjab. In these circumstances all the Gilgit region, all the Vale and all of Poonch would, as Muslim majority areas, have gone to Pakistan. Out of the five Districts in Jammu Province, two Mirpur and Riasi, would have gone to Pakistan while three, Jammu, Kathua and Udhampur, with Hindu majorities and directly adjacent to the East Panjab, would have gone to India. In the Doda District, between Jammu and Ladakh, Bhadarwah tehsil and part of Kargil tehsil would have gone to Pakistan."

There can hardly be any speculative debate on this issue: had the State of Jammu and Kashmir been an administrative part of British Indian Empire, it would have automatically become a part of Pakistan in 1947. As there is no way to regain lost opportunities and the clock of time cannot be turned back, the year 1947 could not be 1846 or 1885; if the British had betrayed the people of Kashmir in 1846 and, according to some, bungled in 1885, was it not their supreme moral duty and political obligation that (*a*) Dogra imperialism does not outlive British imperialism and (*b*) the territorial division of the subcontinent should be strictly in accordance with the agreed principles of partition. But who could imagine that a British Lord would enter into "an iniquitous arrangement" with a diehard Dogra chieftain in 1846 and, after exactly hundred years, another British

Lord, a scion of the royal family, would enter into an equally "iniquitous arrangement" with the Hindu Congress and deny to the people of Kashmir fruits of freedom when India and Pakistan were carved out of the subcontinent as independent countries in 1947. But Lord Lawrence who negotiated the deal in 1846 did not lack the intellectual honesty to admit later that "it has brought woes innumerable for Kashmir ever since". Lord Mountbatten had no remorseful moments; in fact he has taken pride in the transfer of power during the shortest possible time.

Addressing the Chamber of Princes on 25 July, 1947, Mountbatten pointed out that "there are certain geographical compulsions which cannot be evaded". Secondly, he had made it unmistakably plain that "there can be no question of coercing any large areas in which one community has a majority to live against their will". Had he faithfully followed his own declarations, it would not have 'brought woes innumerable for Kashmir ever since . . .' He is often credited with a great achievement but the harsh truth is that, upto this day, the subcontinent has not been able to recover from the consequences of a basic discord created under his Governor-Generalship.

With New Delhi as a base for operations, Mountbatten used his natural charm and blue blood, his persuasive powers and negotiating knack to puncture more than 500 Princes who came tumbling along with instruments of accession. As he had always taken 'the greatest personal interest in the Kashmir problem', he journeyed to Srinagar during the hottest month of the

year. He stayed with the Maharaja but had no occasion to discuss the future of his State. And, yet, "there was no State in the subcontinent," as Nicholas Mansergh observed, "the future of which, if left unsettled, was more likely to occasion dissent between the two Dominions. The failure to concentrate more closely upon the problem it presented was destined to prove an oversight fraught with grave consequences." Mountbatten has been called 'a successful commander'; he has been known for his 'unsurpassed ability in political strategy'; why did he leave this unfinished business and left India and Pakistan to settle the scores *after* the transfer of power. The unresolved dispute of Kashmir is patently his legacy. He did not even show requisite regard for the higher interests of his own country; he bartered away British honour to oblige his Hindu friends.

The Congress leaders were divided on the issue of reference to the United Nations. But Mountbatten convinced Nehru that it was in India's interest to seek UN intervention because they have a serious complaint against Pakistan. What is more, he followed up the case; Mr. Philip Noel-Baker, a Nobel Peace Prize winner, who then represented the United Kingdom in the Security Council, was dethroned by Mountbatten for adopting a pro-Pakistan line. In fact, this great Englishman was a devoted worshipper at the altar of truth and justice and peace; he took a spirited interest in drafting the first resolution and stoically pleaded for an expeditious disposal of the Kashmir dispute. Mountbatten was worried, as Campbell-Johnson wrote, "because he

feels that Attlee and Noel-Baker do not seem to be showing themselves sufficiently alive to the psychological influences of this dispute . . ." He offered a bait to the British Government; India would continue to be a member of the Commonwealth even after becoming a republic, but the 'political position' of her leaders "has been weakened and the attitude of the Government adversely affected by the policy adopted towards Kashmir by the British delegation at the Security Council." There was a sudden change in the British policy toward Kashmir; the United States, Canada and other powers accepted the British lead; Mountbatten won the first round of the battle against Pakistan in the arena of the United Nations. Even the wavering western nations followed suit as India threatened to secure a Soviet veto. Mountbatten was guilty of a grave political lapse, and yet he could not shed his Kashmir complex; long after the cries of 'Pandit Mountbatten Ki jai' were lost in the air, the last British Governor-General seized the last opportunity to stultify the efforts to resolve the Kashmir dispute during and immediately after India's conflict with China. As *The Times* correspondent reported : 'Misunderstanding between Britain and India has been nipped in the bud by the intervention of Lord Mountbatten and an attempt to use the Sino-India border war as a lever to force a settlement of the Kashmir dispute has been written off.' Thus Mountbatten continued to stick his personality on the Kashmir case ; he could not shake off his personal stake in the dispute as he had been alway anxious to ensure that what he had done should not be undone and Kashmir should never slip out of Indian hands.

CHAPTER 3

"Who acts not when he should, acts not when he would"

Arena Without Action

ARENA WITHOUT ACTION

India was so sure of the legal validity of the Maharaja's act of accession that, on 1 January, 1948, she referred the matter to the Security Council as a complainant. On Maharaja's frantic requests, it was said, India agreed to accept accession, but circumstances compelled Nehru to declare that "the fate of Kashmir is ultimately to be decided by the people, that pledge we have given not only to the people of Kashmir, but to the world ; we will not and cannot back of it." But in India's case, time did not prove a healer or a corrector; the nine weeks that passed between the accession and reference to the Security Council changed the basic attitude of India's Prime Minister towards a dispute which had engulfed the whole valley in a devastating civil war. With the advent of winter, the fighting slowed down and Nehru began to dream of India's permanent occupation of Kashmir. With a pose of injured innocence, India knocked at the door of Security Council like the victim of a bad burglary going to the police station to lodge a complaint. As the Security Council began to examine "all interrelated" issues, the complainant became the accused and was condemned by the whole world. India was anxious to see Pakistan pronounced "guilty" but, instead, she found herself in the dock. The complaint proved a boomerang; and every allegation she advanced

against Pakistan recoiled on her and limelighted issues she was most anxious to avoid.

India asked the Security Council, "(i) To prevent Pakistan Government personnel, military and civil, from participating or assisting in the invasion of the Jammu and Kashmir State; (2) To call upon other Pakistani nationals to desist from taking any part in the fighting in the Jammu and Kashmir State; (3) To deny to the invaders (a) access to and use of its territory for operations against Kashmir, (b) military and other supplies, (c) all other kinds of aid that might tend to prolong the present struggle." On India's own admission, it was a conditional accession and, yet, she referred to Kashmir as "a State which has acceded to the Dominion of India and is part of India..."

Pakistan was hardly taken by surprise and did not lose a moment in submitting a counter-complaint to the Security Council. Firstly, Pakistan challenged the Indian charge that she was ... "giving aid and assistance to the so-called invaders or have committed any act of aggression against India. On the contrary and solely with the object of maintaining friendly relations between the two Dominions the Pakistan Government have continued to do all in their power to discourage the tribal movement by all means short of war". Secondly, Pakistan informed the Security Council that Kashmir was not an isolated issue, as India was guilty of 'widespread genocide against the Muslim population', forcible occupation of Junagadh State which had acceded to Pakistan, non-fulfilment of agreements reached immediately after Partition, and accepting the Maharaja's offer of accession which was

based on 'violence and fraud', in spite of the standstill agreement which necessitated prior consultation with the Government of Pakistan. Thirdly, Pakistan requested the Security Council "to arrange for the cessation of fighting in the State of Jammu and Kashmir; the withdrawal of all outsiders, whether belonging to Pakistan or the Indian Union, including members of the armed forces of the Indian Union; the restoration and rehabilitation of all Muslim residents of the Jammu and Kashmir State as on 15th August, 1947, who have been compelled to leave the State as a result of the tragic events since that date, and the payment to them by the Indian Union of due compensation for the damage and injuries suffered by them; to take steps for the establishment of an impartial and independent administration in the State of Jammu and Kashmir, fully representative of the people of that State; and thereafter to hold a plebiscite to ascertain the free and unfettered will of the people of the Jammu and Kashmir State as to whether the State shall accede to Pakistan or India . . ."

There were charges and counter-charges but the result was a moral triumph for Pakistan. Firstly, the Security Council did not concede the Indian request that Pakistan should be declared an aggressor and, secondly, the Security Council did not accept India's legal facade of accession. Having heard India's complaint and Pakistan's reply, the Security Council adopted two resolutions within three days. The first resolution (17 January) urged upon the two Governments "to take immediately all measures within their power (including public appeals to their people) calculated to improve the

situation" and "inform the Council immediately of any material change in the situation which occurs or appears to either of them to be about to occur". Having appointed "the United Nations Commission for India and Pakistan", the second resolution (January 20) asked its members 'to proceed to the spot as quickly as possible', watch and report the 'development of the situation' and not only examine the nature of the Kashmir dispute but 'other matters' in the context of deteriorating India-Pakistan relations. Pakistan scored a point and it was the first serious reverse for India. Supporting Pakistan's contention, Mr. Jose Arce of Argentina exhorted the members of the Security Council not to shut their eyes "to these questions and ignore them; but supposing that, in order to conform to all the rules of procedure of a high court of justice, we were to take the question of Jammu and Kashmir first and the other questions afterwards, it is obvious that the Council could not deal with them separately but would be obliged to consider them as a whole." Referring to Indian annexation of Junagadh he added: "If that is not aggression, if that is not war, if anyone thinks that we should close our eyes to these things, I for my part cannot assent to such a procedure".

At this stage, an Indian representative tried to raise some irrelevant issues but all members of the Security Council were unanimously of the view that the Kashmir question should receive a priority treatment. As Zafrullah Khan explained :

. . . "Considering that it is mainly the population of Kashmir that is fighting, it must be completely assured, and effective guarantees must be given, that Muslims

will not be persecuted and oppressed and that the people of the State shall decide their own constitution and the shape of their Government. Assurances must be given and fulfilled that Indian troops and all outsiders shall withdraw ; this assurance must be given in order that law and order may be restored. If that assurance is given, it would go a very long way towards bringing about a cessation of the conditions that prevail today. All outsiders, that is to say, the Sikhs and Hindus who are coming from outside, the Muslims who may not be fighting but who come from outside for any sincere purpose, shall withdraw, and all those who have been compelled to leave the State of Kashmir and who are citizens of Kashmir shall be permitted to return. In order to enable a free choice to be made by the people of Kashmir in the matter of accession, that is, whether they will accede to Pakistan or whether they will accede to India, a neutral and impartial administration shall be set up."

Mr. Warren Austin of the United States strongly seconded the proposal for 'an interim Government that is free from the smell of brimstone' and 'the return of emigres'. General Andrew McNaughton pleaded for an "authority which will be recognized by everyone concerned as strictly impartial." Mr. Guy de la Tournelle representing France insisted on three prerequisites :

1. The withdrawal of foreign troops from the State of Kashmir.

2. The return of the inhabitants, irrespective of their race—Hindu or Muslim—to their places of origin in that State.

3. The establishment of a free administration which would not exert pressure on the population and would give absolute guarantees of a free vote.

The President of the Security Council prepared two draft resolutions; a plebiscite was to be 'organized, held and supervised' under the authority of the United Nations; and secondly, it was proposed to promote 'the cessation of acts of hostility and violence'. Meanwhile, both India and Pakistan submitted drafts of their own resolutions. The Pakistani draft was substantially in line with the speeches made by members of the Security Council; the Indian draft was not only a departure from the spirit of the debate but represented a complete *volte face* as they conveniently swallowed their solemn commitments to United Nations. Presenting India's case, Mr. Gopalaswami Ayyangar had assured the Security Council that "We have no further interest, and we have agreed that a plebiscite in Kashmir might take place under international auspices after peace and order have been established . . . The question of the future status of Kashmir vis-a-vis her neighbours and the world at large, and a further question, namely, whether she should withdraw from her accession to India, and either accede to Pakistan or remain independent, with a right to claim admission as a member of the United Nations—all this we have recognized to be a matter for unfettered decision by the people of Kashmir, *after normal life is restored to them*." Now India was at her old game—playing for time. Her draft resolution was hedged in by so many provisos that plebiscite seemed more a mirage than a possibility in the foreseeable future. It created

a furore and excerpts from the following speeches are an index to the collective mind of the Security Council:

Mr. Philip Noel-Baker (United Kingdom): "The cause which is now in dispute here, the cause of the fighting in Kashmir, is the question: to which of the two Governments, India or Pakistan, shall Kashmir accede? In my conception, infinitely the best way to stop the fighting is to assure those who are engaged in it that a fair settlement will be arrived at under which their rights will be assured. In other words, as I remarked to the representative of India in our first talk after his arrival, in my profound conviction, a settlement arrived at quickly in the Security Council is the real way to stop the fighting. The whole thing from the preliminary measures as to the fighting, right up to the conduct of the plebiscite in the end, is all one problem . . ."

Mr. Austin (United States): "I think that all members of the Security Council understand that a settlement would gain great strength if it had the approbation of good people all over the world. There is nothing, in my view of the matter, that will command that approbation as will a machinery that is free from suspicion and that gives to all the world the appearance of impartiality by actually being an impartial administration of the plebiscite."

Mr. Tingfu F. Tsiang (China): It is obvious that the key to the problem lies in the plebiscite. If the principle of a free and impartial plebiscite for deciding the all-important question of the accession of Kashmir

to India or Pakistan should be accepted, much of the incentive to violence and the use of force would be removed".

Mr. Arce (Argentina): This matter having been referred to the Security Council, the Council is perfectly free to decide as it thinks fit, on the sole condition that it acts within the framework of the Charter. This is the legal point of view. But even from the factual point of view, there can be no other solution. Both the Maharaja, as absolute monarch of Kashmir, and the government or governments established by him, have already shown themselves biased in favour of one of the parties and cannot therefore preside over a free plebiscite. Even if they could, they should not do so, because the opposing party would not recognize the fairness of this plebiscite, even if it had been fairly conducted . . . It is worth while remembering the Latin proverb, which says *sublata causa, tollitur effectus*, or, in other words remove the cause and the effects will disappear. In this case, the cause of all the disturbances, whether from India or Pakistan or from the tribes, lies in the rebellion of the people of Kashmir against the absolute monarch who rules them as if he were running a farm and the 4 million inhabitants were so many heads of cattle and not human beings".

Mr. Ayyangar was implacably opposed to a neutral administration in the state on the flimsy ground that it would 'infringe the sovereignty of the Maharaja'. Mr. Austin immediately nailed this objection because the Maharaja was already exercising 'that sovereignty through an interim Government' headed by Sheikh

Abdullah. Thus, he 'does not lose sovereignty; he strengthens it'. But India clung to the ridiculous position that "a free and fair plebiscite we concede, but conditions under which alone a free and fair plebiscite can be held, we do not concede". Unable to counter these arguments, the Indian representative chose to contradict his own Prime Minister and vainly asserted that the instrument of accession "does not state that the accession is provisional". Mr. Austin rose against it and pointed out that the proviso became 'an actual part of the terms of accession' when Mountbatten, who accepted the accession on behalf of India, had appended the condition that it would be finally settled by a reference to the people of Kashmir. Even if it were technically legal, how could it be permanent or irrevocable when collateral documents, attached to the instrument of accession, emphatically pointed out the provisional character of the act.

At last, on 10 February, General McNaughton of Canada, the new President of the Security Council, drafted a resolution and submitted it to members for approval. It was a remarkably realistic document and faithfully reflected the views and sentiments of Pakistan as a disputant and the people of Kashmir as victims of Indian aggression. The settlement of Kashmir question was in sight but India was bent upon converting this possibility into an impossibility. Mr. Ayyangar rejected it and as he insisted on a few weeks adjournment, he pleaded, in the name of his 'proud civilization', that India must be considered, like Caesar's wives, above suspicion. It was not 'an innocent request' for deferment but a clever device to sabotage 'the consideration

of this great problem by the Security Council'. There was pungent criticism of India's demand for postponement but, ultimately, she scored by her filibustering tactics. The sense of urgency and immediacy that marked the early deliberations of the Kashmir problem stands in striking contrast to the attitude of casualness adopted by the United Nations during the last two decades. Some of the speeches are worth recalling:

What India expected was, as Mr. Austin put it, "that the Security Council should take up a position which would amount to that of an ally in a war, and should pull off Pakistan and allow India to finish the job by force against the tribesmen. That is the very last position which the Security Council ought to take."

Mr. Alfonso Lopez sadly said: "If I may be allowed to speak my mind rather frankly, I would say this situation worries me a great deal, because at a certain stage in our deliberations the Indian delegation made it distinctly clear that the suggestions they had advanced to the Security Council were the maximum they could accept. When they heard that we were continuing with our discussion, the representative of India went on to suggest that anything short of what he had advanced would place the Indian delegation in a difficult position. I should wish to know exactly what he meant. In the light of his letter to the President of the Security Council (document S-668), I believe I am warranted in saying that it is really surprising to find that after the Indian delegation had been invited to discuss this new draft resolution or suggestion, they should have notified the Security Council that the whole delega-

tion had been instructed to return to India. The members of the Security Council should bear in mind that we are discussing this question at the request of the delegation of India. We should bear in mind that we have been discussing the matter for six weeks; now they wish to leave. I therefore believe it would be more appropriate for us to say that after having insisted that this question is of a great urgency, they cannot wait any longer and want to drop the matter now. Before actually finishing discussion of their request for adjournment, we have also been informed that they already made arrangements to leave tomorrow."

Mr. Noel-Baker thought that "It is a very serious matter that, while a war is going on, while men are being killed, the Security Council should suspend its work which is designed to bring fighting to an end ... "There is nothing irrevocable about an aircraft ticket. There may be something irrevocable in the departure of the Indian delegation ... Why does the Indian representative suggest that a plebiscite, which he admits is not irrelevant, is nevertheless a matter which could wait for a considerable time? Why does he call them, as he did, "long-range problems"? I think it would be a disaster both to India and to Pakistan if we so regard them. What is long-term about them? Why should it take long to make a settlement?"

Mr. Lopez pointedly asked: "What is going to happen in Jammu and Kashmir in the meantime? Is the fighting to continue? Will the Indian Government be free to carry on its military operations? Does the Security

Council expect, by any chance, that two, three, or four weeks from now, it is going to renew its discussions at the political or at the military level at which it discontinued them . . . From the moment that the Security Council did not agree to take the one action that the Indian delegation wanted—action to stop the fighting without taking action on the plebiscite—they have been gradually coming to the point at which they have arrived. . . . When we did not agree with the members of the Indian delegation, they actually withdrew from the conversations with the President of the Security Council and now they prepare to withdraw from the Security Council itself. That is putting it rather crudely, and in fact they do it more intelligently and in a very nice manner, but that is the net result of this suggestion in effect."

Mr. Arce reminded the members that "Kashmir is not a territory of India—no power will either propose or accept a plebiscite to surrender a part of its territory, as India's Government did . . . the cause of the present war is the rebellion of the Kashmir people against their Ruler."

UN's First Failure

The day the Security Council conceded India's request for adjournment was the beginning of United Nations' shock-absorbing capability. Mr. Ayyangar felt 'too much twitted' by the Security Council's censuring mood but India succeeded in making the members agree to fiddling for a while when Kashmir was burning. Was it a lapse or tactical mistake on their part? It can only

be described as the first major failure of United Nations as the collective conscience-keeper of mankind. In fact, it was a defeat at the hands of a bullying and blustering member. When the Kashmir dispute was brought to the bar of this new super organization, the discussion was not inhibited by any extraneous considerations. The Big Four of late forties had their own customary power politics but their attitude towards this part of the world was generally considerate. When India and Pakistan sought their help, they perhaps liked to say to themselves: Here are two newly-born Asian States; they have just enrolled themselves as members of the United Nations. If they are fighting for Kashmir, let us resolve this question quickly, fairly and honourably; we must help them to keep their hard-won freedom. Similarly, each member of the United Nations Commission for India and Pakistan "seemed to feel a personal responsibility to restore freedom and peace to Kashmir". The leader of the American delegation "spoke with tears in his eyes when, opening a session, he pledged all his efforts to the honourable and noble task with which he had been entrusted." Established in the name of truth and justice, created to promote peace and democracy and committed to support the right of self-determination, the United Nations seized India by the collar even though she was a complainant. Why? It was as much a test case for United Nations as it was a case of fighting between two member states and freedom of an enslaved people. The members of the Security Council demonstrated their sincere solicitude and their integrity was a mirror of their good intentions. But that was a period of exuberance; it was the time of its infancy; as it

grew, it lost the divinity of childhood and accumulated the sins of age.

There were two fatal factors which not only subjected the Kashmir question to the erosion of time but nipped off the sapling of United Nations. Firstly, India was allowed adjournment and indirectly encouraged to disavow the draft resolution of 10 February. Secondly, the resolution adopted on 20 January had directed the United Nations Commission for India and Pakistan (UNCIP) to visit the subcontinent as soon as possible but, thanks to India, the search for 'even-handed justice' resulted in 'heavy-handed diplomacy'. The Commission wasted six precious months in procedural formalities and assessing the burden of their mandate. It was an intriguing interval; India threw up her cards and fed the suspicion that Nehru's Government was using the Security Council as a tool to defame Pakistan and tighten its stranglehold over Kashmir. Thus started, what I might call, a process of dilution; every resolution was watered down to accommodate India; as time rolled by, the dispute ceased to pose a threat to world peace; there was no enforceable solution but an occasional sermon that the two principal heirs to the British empire should on their own 'settle the division of the estate as best as they could'. It was the terminus; from this point the history of United Nations' intervention in Kashmir is a story of concessions to India's obduracy. Perhaps, the only debatable ground is whether impotence of United Nations emboldened India or Indian intransigence incapacitated the United Nations.

McNaughton's draft resolution had laid a firm basis for the settlement of Kashmir dispute and, what is more, it was enthusiastically welcomed by all members of the Security Council. There were hardly two opinions on the nature of the issue, urgency of the matter and the only way to remove the 'dark shadow' over the subcontinent. In fact, there has never been a more encouraging unanimity among the members but, alas, the draft was drastically amended to meet Indian objections. The new draft was a sad departure from the basic outline of the first resolution; it was a substantial compromise on the 'broad principles' of resolving the Kashmir question. After frittering away another one month, the Security Council adopted a draft resolution on 21 April and induced India to "withdraw such forces as were not required for the maintenance of law and order in the State". But who was to decide the quantum of Indian forces which could be stationed in Kashmir? The resolution allowed India a 'progressive withdrawal' of her armed forces, eliminated Pakistan as a party responsible for the maintenance of law and order, ruled out a neutral administration during the interim period and made the Plebiscite Administrator a functionary of the Maharaja's Government! Pakistan accepted it under protest; India rejected even this resolution as, perhaps, according to her surmise, it entailed a risk of losing Kashmir even if a plebiscite was delayed. Meantime, the UNCIP reached the subcontinent and initiated a series of exploratory talks with the Governments of India and Pakistan but, before the Commission could commence its work, there was a sudden shift in India's attitude. The Indian delegates were dilatory as usual and yet they

appeared to be in indecent haste. It was not difficult to discover that they were betraying a curious desperateness; to the unwary it appeared that India had after all realized the gravity of the situation; in fact she was busy streamlining her war machine for swift action and final showdown in Kashmir. The Indian Defence Minister must have been impelled to announce that Kashmir will be free of 'raiders' within a few weeks. India sought another postponement because she urgently needed another month or so for a 'notable victory' in Kashmir.

As the special correspondent of the London *Times* wrote from Srinagar on 13 April: "The Indian Army has worked extremely hard during the winter months and its position has been much improved. In spite of snow-storms and rain and the resulting drifts, mud and land-slides; it has doggedly moved up supplies and reinforcements, improved roads and airfields and intensified the training of its troops. But this necessary phase has not been completed . . . the force has been considerably strengthened and it should be soon ready for a limited offensive. Already some units have advanced from Rajauri in Jammu and from Uri and some small successes have been reported. Fighting is bloody . . ."

A New Challenge

About this time the commander-in-chief of Pakistan sent to the Government his assessment of the general military situation: "(a) The build-up of the Indian army for an all-out offensive in Kashmir started towards the end of February 1948 at a very rapid rate. Eight brigade groups, complete with supporting arms, artillery armour,

engineers etc. backed by a considerable air force of fighters, bombers and transport aircraft are at present deployed in Jammu and Kashmir and the process of building-up continues but appears to be almost complete now. So far the main concentrations are in the south, i.e. in the area Jammu-Naoshera; at least one additional brigade group is already reported to have moved into the Valley ... It is obvious that a general offensive is about to start very soon now. The present dispositions suggest that it will first start in the south with Bhimbar and Mirpur as the most likely objectives with a view to coming right up to the Pakistan border ... If Pakistan is not to face another serious refugee problem with about 2,75,000 people uprooted from their homes; if India is not to be allowed to sit on the doorsteps of Pakistan to the rear and on the flank at liberty to enter at its will and pleasure; if the civilian and military morale is not to be affected to a dangerous extent; and if subversive political forces are not to be encouraged and let loose within Pakistan itself, it is imperative that the Indian Army is not allowed to advance beyond the general line Uri-Poonch-Naoshera."

As India was escalating the conflict and could not be relied upon to implement any agreement, Pakistan had, perforce, to accept her commander-in-chief's advice and act accordingly. India was poised for a major spring offensive; the onslaught was expected any moment; there was no way to counter her new military moves except to take up defensive positions along the battle-ridden line. The Pakistan troops were instructed to 'prevent India from obtaining a decision by force of arms'. The UNCIP were of the view that India and Pakistan were moving

towards an 'all-out war'. After protracted negotiations and months of wrestling and wrangling the Commission succeeded in securing India-Pakistan approval of two resolutions passed on 13 August, 1948 and 5 January, 1949, which laid down the following procedure to decide the question of accession :

(1) Immediate cease-fire and demarcation of the cease-fire line;

(2) the demilitarization of the State of Jammu and Kashmir ;

(3) a free and impartial plebiscite under the auspices of the United Nations to settle the accession issue.

Fighting stopped on the first day of 1949; an agreement on demarcation of the cease-fire line was concluded after seven months; the U.N. military observers took their positions on both sides of the cease-fire line to ensure that the agreement was not violated; but the Commission failed to secure India's acceptance of any plan of demilitarization of the State. When all efforts prove abortive, the Commission decided that all points of difference which had arisen between India and Pakistan should be referred to Admiral Chester Nimitz who had already been designated Plebiscite Administrator. Mr. Truman, President of the United States and Mr. Attlee, the British Prime Minister publicly endorsed this plan and pleaded for its acceptance by India and Pakistan. Pakistan accepted and India rejected the proposal.

The case came back to the Security Council in September, 1949, and it was decided that a U.N. repre-

sentative should be appointed to explore the possibility of an agreed solution and iron out the difficulties that had cropped up. Even at this stage, the members were less divided on the issue than ever before. General McNaughton, President of the Security Council, was entrusted with the task of "negotiating informally with the Indian and Pakistani representatives." Pakistan accepted his plan but India demanded the disbanding of the Azad forces and the occupation of the Northern Areas by her army. They refused to accept even the Commission's interpretation of the resolution of 13 August, 1948 that it 'does not contemplate the disarming or disbanding of Azad Kashmir forces'. The Security Council reconsidered the situation and adopted a resolution on 14 March, 1950, appointing Sir Owen Dixon to act as mediator.

Having called a joint meeting of the two Prime Ministers and discussed the issue with them, he came to the tragic conclusion "that India's agreement would never be obtained to demilitarization", preparatory to the holding of a plebiscite "in conditions sufficiently guarding against intimidation and other forms of influence and abuse". Later, he suggested a few specific measures to ensure a free and fair plebiscite, but India turned down every proposal. In March, 1951, the Brazilian President of the Security Council proposed that all points of interpretative differences should be referred to arbitration; India could perhaps guess the verdict and rejected the proposal. At the Commonwealth Prime Ministers Conference in January, 1951, the Kashmir problem came up for discussion. As India

had made an issue of the 'security of the state' during the time of plebiscite, she was persuaded to accept any of the three alternatives—a Commonwealth force, a joint Indo-Pakistan force or a local force to be raised by the Plebiscite Administrator. As India never had any serious intention of reconciling with Pakistan, she rejected every proposal without assigning any reason. Commenting editorially on India's attitude, *The Times* said: "The obstacle to any proposal is still India's persistent refusal to submit to any sort of arbitration on the differences of interpretations regarding her claims and commitments on Kashmir." Thus, India's refusal to accept any plan of demilitarization, to pave the way for a plebiscite, was reduced to a battle of interpretations. The Security Council resolutions of 13 August, 1948 and 5 January, 1949 were subjected to a detailed dissection but there could be no agreement as there was no end to 'point counter point' technique of Indian hagglers. Mr. Josef Korbel summed up India's sinister move when he said: "Pakistan obviously was of the opinion that once the fighting had stopped, India would be satisfied with a de facto division of Kashmir (the better part of which was in her possession), the situation would subsequently become stabilized, and India would then obstruct a free plebiscite."

The Security Council again took up the case and adopted a resolution on 30 March 1951, providing for the appointment af Dr. Graham, as U.N. representative, to implement the resolutions. Dr. Graham laboured for nineteen months but India rejected every plan to effect the demilitarization of the State. Besides, the

Prime Minisiters of India and Pakistan met often not only to discuss the Kashmir dispute but to resolve all issues outstanding between the two countries. Even these direct negotiations failed, as India bagan to raise the issue of American military aid and Pakistan's participation in regional defence pacts. These issues had no relevancy to the Kashmir dispute, but India was determined to seize every opportunity to hold up a plebiscite. All these years merely served to harden Nehru's opposition to any demilitarization plan. When it was suggested, during and after the Suez crisis, that a U.N. police force in adequate numbers be sent to the State of Jammu and Kashmir to ensure peaceful withdrawal of Indian troops from occupied Kashmir and Pakistani troops from Azad Kashmir to prepare the ground for a popular plebiscite, Nehru hit back and said that he could not allow any "foreign troops" in Kashmir. But he conveniently forgot that the primary task of the U.N. force was to expedite the withdrawal of "foreign troops" from Kashmir. As long as the Kashmir dispute was not democratically settled, the Indian soldiers in Kashmir were technically foreign troops. Besides, why this U.N. force idea became so "foreign" to Nehru's mind when he had been ever ready to contribute a contingent of Indian troops to U.N. force at the slightest indication of trouble brewing in the remotest part of the world.

On 10 March, 1951, the *New York Herald Tribune* observed that the Indian attitude 'is a source of worry and annoyance to most UN delegates, and the further they examine it, the less justification they find for it. The conclusion has become inescapable that the Indian

position, cut to its essence, is simply this—Kashmir for India, regardless of expense'. 'India has rejected', said the *New York Times* in an editorial on 17 January, 1951, "every suggestion for mediation that has come through the United Nations in the last few years. The plain fact of the matter is that India has consistently made impossible terms for a plebiscite or for any other kind of settlement. It is hard to avoid the conclusion that Mr. Nehru would rather see a continuance of the present situation than face a genuine popular verdict." India had an impressive record of rejections—thirteen in four years.

India's New Face

It was a cloudy day in Gulmarg when Indian gestapo men knocked at the door of a house where Sheikh Abdullah was resting. On 9 August, 1953, the first Muslim Prime Minister of Kashmir was dismissed and clapped in prison. Nehru's explanation was more evasive than apologetic when he said that "our advice was neither sought nor given". But that is immaterial; both in Pakistan and Kashmir the news was received with shock, anger and dismay. It was another outrage; Srinagar was again the scene of violent demonstrations; in Karachi, Miss Fatima Jinnah roused "the Pakistanis to volunteer their services and join their Kashmiri brethren in their righteous cause and fight for freedom". But, Nehru thought it was 'no concern of Pakistan". He reluctantly agreed to meet Mohammad Ali Bogra in New Delhi. After a three-day conference between the two Prime Ministers, the following communique was issued: "Kashmir dispute was especially discussed at

some length. It was their firm opinion that this should be settled in accordance with the wishes of the people of the State, with a view to promoting their well-being and causing the least disturbance to the life of the people of the State. The most feasible method of ascertaining the wishes of the people was by fair and impartial plebiscite. Such a plebiscite had been proposed and agreed to some years ago. Progress, however, could not be made because of the lack of agreement in regard to certain preliminary issues." In fact, it was even decided that "the Plebiscite Administrator should be appointed by the end of April 1954." For the first time since 1947, as a leading Indian lawyer said, "there seemed to be an overwhelming desire in both the countries to rosolve the outstanding points of dispute by direct and peaceful negotiations. They were nearing an agreement . . ." But it was a fond hope; even before the Plebiscite Administrator was appointed, Nehru went back on his commitment; he dismissed further talks as 'an exercise in futility' and trotted out the excuse that the situation had changed and the 'balance of power' had been upset after Pakistan's military aid treaty with the United States. How did Pakistan's right to improve her military capability affect Kashmiris' right of self-determination? There is nothing we can say except that he who excuses himself accuses himself.

As India continued to block demilitarization of the State, in January 1957, nine members of the Security Council commended Pakistan Foreign Minister's proposal to employ temporary United Nations force which could solve the problem of security on both sides. The

representatives of these nine governments approved a draft resolution which, in a preambular paragraph, said that 'a temporary United Nations force' would be justified 'insofar as it might contribute towards the achievement of demilitarization as envisaged in the resolutions of the UNCIP and towards the pacific settlement of the dispute". Thus, the Security Council adopted yet another resolution on 21 February, 1957, and appointed yet another mediator to confer with the Governments of India and Pakistan on the unresolved questions relating to demilitarization and plebiscite. Mr. Gunner Jarring, the Swedish representative on the Security Council, who was appointed for this purpose, visited the subcontinent during the spring and submitted his report on 29 April, 1957. To say the least, the Jarring Report was a laboured but futile attempt to placate India and satisfy Nehru's vanity. There is little doubt that he made the sincerest efforts to find a solution, but the pity is that he perhaps unwittingly encouraged India to initiate discussion on issues which his predecessors thought had been settled.

Firstly, he unnecessarily tried to emphasize the Indian view that "it was incumbent on the Security Council to express itself on the question of aggression and equally incumbent on Pakistan to vacate the aggression". Similarly, he stated that he "could not fail to take note of the concern expressed in connection with the changing political, economic and strategic factors surrounding the whole issue of the Kashmir question, together with the changing pattern of power relations in West and South Asia." It was perhaps a little too late

for Mr. Jarring to raise the issue of "aggression" as, in spite of India's repeated requests, the Security Council never took any note of it. The question of changed or changing "balance of force" in this part of the world had nothing to do with the settlement of the Kashmir dispute.

Secondly, he needlessly tried to project the Indian view that sections B and E of Part I of the Council resolution of 13 August, 1948, had not been implemented by the Government of Pakistan. But it was easily forgotten that paragraph B of Part I of this resolution merely prohibited the augmentation of the military potential of the forces under the control of the respective Governments in the State of Jammu and Kashmir. It could not possibly object to any steps the two Governments might take in modernizing their army and improving their armament positions. In this connection, it is pertinent to note that Dr. Graham had clearly stated in paragraph 32 of his third report that the present number of armed forces on the Pakistan side of the cease-fire line was estimated to be less than fifty per cent of the number of such forces on 1 January, 1949, the day the cease-fire became effective. Besides, the United Nations military observers never raised any such objections against Pakistan. Section E of Part I of this resolution had exhorted the two Governments to create "an atmosphere favourable to the promotion of further negotiations". It was such a nebulous charge that Pakistan could easily cite numerous instances to prove that India had done her worst to spoil the atmosphere necessary for fruitful negotiations by invalidating every move to

resolve the Kashmir dispute by peaceful and democratic means.

Thirdly, Mr. Jarring expected the Security Council to "be aware of the fact that the implementation of international agreements of an *ad hoc* character, which has not been achieved fairly speedily may become progressively more difficult because the situation with which they were to cope has tended to change." It was substantially a repetition of the first point, but it is strange how he could entertain for a moment the idea that international agreements which are recorded words of honour, are ever affected, unless so limited, by lapse of time or change of circumstances. The resolutions of 13 August, 1948 and 5 January, 1949, were perhaps *ad hoc* in the sense that they were adopted to meet a particular situation but the disputants had taken definite action which could not have been taken without a prior mutual agreement.

Fourthly, Mr. Jarring suggested the method of arbitration, which Pakistan accepted as a gesture of goodwill and cooperation but India rejected because "such procedure would be inconsistent with the sovereignty of Jammu and Kashmir and the rights and obligations of the Union of India in respect of this territory," and might be interpreted as indicating that Pakistan had *locus standi* in the question. It is hardly possible to imagine a more absurd objection as it was India that impleaded Pakistan before the Security Council; it was her Prime Minister who discussed the dispute with the Pakistan Prime Minister and it was agreed that a Plebi-

scite be held to determine "whether the State should accede to India or Pakistan."

The Security Council met in the last week of September, 1957 to consider the Jarring report. The Pakistan Foreign Minister rightly insisted that "the Security Council should proceed with the main task before it". But the Indian representative adduced his trite arguments and did not contribute one word to ease the situation or bring the dispute nearer solution. In fact, true to form, he laboured hard to confuse the issues and get the Security Council into a mess. After listening to the speeches of Indian and Pakistani representatives, the Security Council met again to consider yet another resolution and appoint yet another mediator.

The joint resolution submitted by members of the Security Council on 16 Novmber, 1957, and the amended resolution approved on 27 November, 1957, showed to what extent world powers agreed to be coerced by India's intransigent attitude. The fourth paragraph of the first resolution read : "that the Governments of India and Pakistan recognize and accept the commitments undertaken by them in the resolutions of the United Nations Commission for India and Pakistan, dated 13 August, 1948 and 5 January, 1949, which envisage the determination of the future status of the State of Jammu and Kashmir in accordance with the will of the people through the democratic method of a free and impartial plebiscite, and that Mr. Jarring felt it appropriate to explore what was impeding their full implementation." But, in the subsequent resolution, the words "commit-

ments undertaken by them in" were deleted and instead the words "provisions of its resolution, dated 17 January, 1948, and of" were inserted. Again, the most significant operative paragraph of the first resolution requested "the United Nations Representative for India and Pakistan to make any recommendations to the parties for further action which he considers desirable in connection with Part I of the UNCIP resolution of 13 August, 1948, having regard to his third and fifth reports and the report of Mr. Jarring, and to enter into negotiations with the Governments of India and Pakistan in order to implement Part II of the UNCIP resolution of 13 August, 1948, and in particular to reach agreement on a reduction of forces, on each side of the cease-fire line, to specific number, arrived at on the basis of the relevant Security Council resolutions and having regard to the fifth report of the United Nations Representative for India and Pakistan". But this paragraph was dropped and the following text was substituted: "Requests the United Nations Representative for India and Pakistan to make any recommendations to the parties for further appropriate action with a view to making progress toward the implementation of the resolutions of the United Nations Commission for India and Pakistan of 13 August, 1948, and 5 January, 1949, and toward a peaceful settlement." Furthermore, operative para. 3 was totally deleted. It called upon "the Governments of India and Pakistan to cooperate with the United Nations Representative in order to formulate an early agreement on demilitarization procedures, which should be implemented within three months of such an agreement being reached."

Thus, in pursuance of a resolution, denuded of all binding force, adopted by the Security Council on 2 December, 1957, Dr. Graham, the United Nations Representative for India and Pakistan, reached the subcontinent in the second week of January, 1958 and submitted his report in the first week of April, 1958. Here is a 5-point summary of his report which speaks for itself:

Dr. Graham thought that the two Governments should be prepared to reaffirm that they would respect the integrity of the cease-fire line. Pakistan accepted and India rejected the proposal.

Dr. Graham suggested that Pakistan should withdraw its troops from the State of Jammu and Kashmir simultaneously with the withdrawal of the bulk of the Indian forces from the State in stages to be agreed upon with the Commission, as provided in Part II of 13 August, 1948, resolution. Pakistan accepted and India rejected the proposal.

Dr. Graham recommended that a prompt study be undertaken under the auspices of UNCIP of how the territory evacuated by the Pakistan troops could, pending a final solution, be administered by the local authorities in accordance with the provisions of the resolution. Pakistan accepted and India rejected the proposal.

Dr. Graham hinted at the possibility of the stationing of United Nations force on the Pakistan side of the Jammu and Kashmir border, following the withdrawal of the Pakistan army from the State. Pakistan accepted and India rejected the proposal.

Dr. Graham pleaded for a conference at the Prime Ministers level to be held under his auspices. Pakistan accepted and India rejected the proposal.

We are fully conscious of the limitations of diplomatic assignments and delicate goodwill missions, but it is a pity that Dr. Graham did not pursue the procedure for demilitarization he had laid down six years ago. If he had done so, it would have been a definite step forward toward the implementation of Part II of 13 August, 1948, resolution. Thanks to these mediators' anxiety to keep Nehru in good humour, India openly began to accuse United Nations of "collaborating" with Pakistan. She had always insisted on the withdrawal of Pakistani troops, "as the condition for the demilitarization of the State," but when Pakistan offered to do it, she could not countenance the prospects of a U.N. force stationed on the Kashmir border. But, perhaps, the most amusing part of this sordid drama was India's rejection of Prime Ministers conference because in her opinion its acceptance would place "the aggressor and the aggressed on the same footing"! On 12 November, 1948, Nehru had said at a press conference in London that "India continued to suggest that there should be mediation" and yet in 1960, Nehru ruled out mediation and characterised Dr. Graham's suggestion for Prime Ministers conference under his auspices as "totally and absolutely unacceptable," as he would "directly deal with Pakistan."

Pakistan had never been averse to 'directly dealing with India'. At an airport meeting with Pandit Nehru on 15 September, 1959, President Ayub stressed the

"need for reappraisal, for forgetting and forgiving and for a more realistic, rational and sensible relationship with each other". When Nehru came to Pakistan in September, 1960 to sign the Indus Waters Treaty, "there was a frank and friendly exchange of views between the Prime Minister and the President in regard to Kashmir. The talks were conducted in an atmosphere of cordiality. They came to the conclusion that this was a difficult question which required careful consideration of all aspects. The President and Prime Minister agreed to give further thought to this question with a view to finding a solution." Within a few weeks, Pandit Nehru declared in New York "that any attempt to upset the status quo in Kashmir would result in opening the Pandora's Box". What was so awesome about Pandora's Box? The Fowler brothers have defined it as 'the box in which Hope alone remained when by its rash opening all objects of desire were dispersed to play havoc among mankind'. It was opened as early as 26 October, 1947 when the Maharaja opted for India; the last 'hope' of the Kashmiri Muslims was cast aside and 'all objects' of coercion were 'dispersed' to crush the freedom movement.

At a press conference on 24 January, 1962, President Kennedy disclosed that he had asked Mr. Eugene Black, President of the World Bank, "to see if a solution was possible in this most difficult and delicate problem. It creates international tensions ... We are assisting both the countries. We would like our assistance to be used in a way which is most effective to the people." Mr. Black accepted

the assignment, but India turned down the proposal. Thus, in April-May 1962, the Security Council again took up the Kashmir question. On 22 June, Ireland submitted a resolution and requested the U.N. Secretary General "to solve the Kashmir problem by using the provisions of the U.N. Charter by negotiations, mediation, arbitration or any other mode of choice." The resolution was vetoed by the Soviet Union and could not be adopted.

Another Opportunity

The Indo-Chinese border war in the winter of 1962 again spotlighted the Kashmir dispute. The Anglo-Americans indicated to Pakistan a request for 'freeze' of Kashmir question during the course of conflict. The British Commonwealth Relations Secretary and the U.S. Assistant Secretary of State made President Ayub and Prime Minister Nehru issue a joint statement on 29 November, 1962, in which they "agreed that a renewed effort should be made to resolve the outstanding differences between their two countries on Kashmir and other matters so as to enable India and Pakistan to live side by side in peace and friendship. In consequence they have decided to start discussions at an early date with the object of reaching an honourable and equitable settlement. These will be conducted initially at the ministerial level. At an appropriate stage, direct talks will be held between Mr. Nehru and President Ayub." But, within 24 hours, Mr. Nehru told the Parliament, "anything that involved the upsetting of the present arrangement would be very harmful to the people of Kashmir as well as to the future relationship between



LAND OF LIBERTY: A picturesque scene from Neelam Valley in Azad Kashmir.



President Mohammad Ayub Khan talking with Sheikh Mohammad Abdullah at the dinner given by him in honour of Sher-i-Kashmir at Rawalpindi on 24 May, 1964.

India and Pakistan . . . I explained to them again and again our basic principles and how it was not possible for us to bypass or ignore them." It was a shocking statement; Mr. Nehru tried to clarify the position in a subsequent note and said that there could not be "any restrictions on the scope of the talks which the two Governments are initiating." For six months, there were six rounds of talks between the representatives of India and Pakistan. As the 'yellow peril' receded, the parleys ended with Nehru's declaration that 'Kashmir was, is and will continue to be an integral part of India'! A joint communique announced that "no agreement could be reached" on the settlement of the Kashmir dispute. The foreign news service of the *Observer* had earlier reported from New Delhi: 'Now that India no longer has its back to the wall against China, everybody here expects an early breakdown of the Kashmir negotiations.' The Anglo-Americans had recommended a temporary cold storage but, as the ordeal was over, Kashmir was conveniently consigned to deep freeze.

On 27 November, 1963, the Indian Minister for Home Affairs announced measures to end the special constitutional status of Kashmir and integrate the State with India. Pakistan again protested but the members of the Security Council could do no better than to express 'the hope that the two parties would abstain from any act that might aggravate the situation and that they would take such measures as would re-establish an atmosphere of moderation between the two countries and also peace and harmony among the communities.' The Security Council could not even adopt a resolution and preferred to express a consensus. After a few days, the

sacrilege of the holy Hazratbal shrine by Hindu hooligans sparked another uprising in Kashmir; Abdullah was released, called to Delhi and invited to stay with Nehru. Abdullah repeated his 'bridge theory'; let the Kashmir dispute be settled and let India and Pakistan live as friendly and peaceful neighbours. Some are inclined to believe that Kashmir had become a drain on the moral resources of Nehru's conscience and he nearly realised his mistake before his ashes were sprayed over the dusty plains of India. Nehru allowed or perhaps encouraged Abdullah to visit Pakistan and meet President Ayub. When Sheikh Abdullah was in Rawalpindi discussing the future of Kashmir with President Ayub, 'the talks were progressing much better than Nehru had anticipated, and when he read in the morning papers that Sheikh Abdullah had invited Ayub to come to Delhi to meet him, Nehru had a heart attack and died.' It appears that somebody could not help saying: "typical of Nehru to choose just this moment to die—just when there is at least a ray of hope that we might get somewhere"? There was a general feeling that the Kashmir stake was too big for Lilliputian Lal Bahadur Shastri; only Nehru could have settled it 'but then Nehru never wanted to.'

The next milestone was on the war path; the Security Council passed a resolution on 20 September, 1965, when India and Pakistan were fighting ferocious battles on the land, sea and in the air. The first part of the resolution directed the parties to cease fire; the second part urged 'a settlement of the political problem underlying the present conflict.' India accepted

this resolution and yet, within a few weeks, Shastri claimed Kashmir as an integral part of India.

Referring to cease-fire in Kashmir, Admiral Nimitz once said that it was "the high water mark of agreement between the two contending countries" and it stands "to the credit of the United Nations as one of its early and important successes". Who would like these words to be inscribed as an epitaph on ths tomb of Kashmir? The Security Council and the four mediators always realized that plebiscite was the ultimate objective but perhaps they did not appreciate that India's diplomacy was directed to ensure that a plebiscite should never be held. Why has India buried her commitments and challenged the very idea of a plebiscite? Has she anything to declare in her defence? The next chapter is devoted to a brief discussion of the factors which, according to Indian spokesmen, had basically altered the position and ruled out the prospects of a plebiscite. Nehru had a few pet bugbears; let us meet them.

CHAPTER 4

"He has as many tricks as a dancing bear"

New Stratagems

NEW STRATAGEMS

From the day the Government of India called upon the Security Council to intervene as the situation in Kashmir was "one of extreme urgency and calls for immediate action" up to the Graham report, Mr. Nehru and his representatives refused to discuss the question of plebiscite as long as Pakistan did not "vacate the aggression". Pakistan must be declared an aggressor and invader; Pakistan must be branded as an intruder and a thief; Pakistan must be pronounced guilty, before India could even consider the offer of a plebiscite. On 1 January, 1948, India asked the Security Council "to call upon Pakistan to put an end to the giving of such assistance which is an act of aggression against India." On 13 July, 1948, India's Bajpai told the members of the United Nations Commission that they attached "the highest importance to the declaration of Pakistan's guilt." And, Mr. Nehru demanded that "Pakistan must be condemned and Pakistan's perfidy and her part in despoiling Kashmir" must be exposed. When Mr. Josef Korbel, a member of the Commission, asked Mr. Nehru if he was prepared to consider "the idea of an unconditional cease-fire order", the Indian Prime Minister shouted, "How can you ask for something like that? It means that you are putting us on the same platform with the other side. It is your duty, as a Commission, to condemn Pakistan for having an army

on our soil. You should compel them to withdraw. Otherwise, it would be as though a thief had broken into my house, and you would then tell him to stay and not to move out until some further measure had been taken. You treat the thief and the owner of the house as equals. First, the thief must get out, and then we can discuss further steps."

What is Pakistan's case? Firstly, it should be remembered that the Kashmir conflict is only part of the wider struggle in the subcontinent which led to the partition of India. It is hardly possible to pronounce judgment on issues which placed India and Pakistan in two hostile camps without weighing the background of the 'deeper conflict' which inevitably led to separation. The question of Pakistan's "aggression" in Kashmir is undetachable from the issue of accession which, as we have seen, was based on "violence and fraud."

Secondly, in her complaint to the Security Council on 1 January, 1948, India never mentioned the presence of any Pakistani troops in that part of Kashmir which they claimed as the "Indian territory". When the Commission reached the subcontinent, they were officially told by the Government of Pakistan that "three Pakistani brigades have entered Kashmir territory in self-defence," as it was feared that Indian army might invade their territory. But it was made clear that, long before India moved the Security Council and Pakistani troops entered the State, the people of Jammu and Kashmir had successfully revolted against the then ruler and liberated that part of the State which is at present known as Azad Kashmir and Northern Areas and these were the terri-

tories which, after the evacuation of the Pakistan troops, were not to be transferred to the Indian control.

India even claimed that part of Kashmir which is now under the control of Azad Kashmir Government and also the Northern Areas which are today administered by Pakistan. The fact is that the people of both these areas had risen in revolt against the Maharaja and captured these territories, thus depriving the ruler of his sovereignty over these territories even before he offered accession to India. Thus, the day the Maharaja acceded to India, he had lost his sovereignty over these territories and he could not, therefore, accede that part of the State of which he was deprived. Secession consequent upon revolt is recognized by international law so long as the territory is not reconquered by the ruler. According to Oppenheim's well-known treatise on "International Law", "Revolt followed by secession is a mode of losing territory to which no mode of acquisition corresponds. But as history teaches, it has frequently been a cause of loss of territory. The question at what time a loss of territory through revolt is consummated cannot be answered once for all, since no hard and fast rule can be laid down . . ." In this case, the Azad Kashmir Government had been established in the territories thus acquired and so long as they were not 'reconquered', they could not be treated as part of the Kashmir occupied by India. Thus, there was no question of any aggression, as Pakistan troops never entered that part of the territory which was under the control of India.

Thirdly, after accepting the two resolutions, India began to put impossibly tortuous constructions on certain

provisions and it was for the purpose of ending this war of words that the Security Council appointed, one after the other, four mediators who are tragically bound by the common factor of their failure. India found in a casual remark made by Sir Owen Dixon a confirmation of her charge of aggression against Pakistan. The relevant portion of Sir Owen Dixon's report, which was submitted to the Security Council on 15 August, 1950, reads: "Upon a number of occasions in the course of the period beginning with the reference on 1 January, 1948, of the Kashmir dispute to the Security Council, India had advanced not only the contention to which I have already referred that Pakistan was an aggressor but the further contention that this should be declared. The Prime Minister of India, at an early stage of the meeting, made the same contention and he referred to it repeatedly during the conference. I took up the position, first, that the Security Council had not made such a declaration; secondly, that I had neither been commissioned to make nor had I made any judicial investigation of the issue; but, thirdly, that without going into the causes or reasons why it happened, which presumably formed part of the history of the subcontinent . . . I therefore proposed that the first step in demilitarization should consist in the withdrawal of the Pakistan regular forces commencing on a named day, other operations on each side of the cease-fire line should take place and as far as practicable, concurrently. What number of days should be fixed as significant was a matter of detail for them to settle. The Prime Minister of Pakistan expressed his readiness to accept, in compliance with my request, the proposition that as a first step in demilitariza-

tion, the withdrawal of the regular forces of the Pakistan army should begin on a specified day and that a significant number of days should elapse before the commencement of any operation involving forces on the Indian side of the cease-fire line."

Sir Owen Dixon had related all the circumstances to show that the supposition he had made was merely in the nature of an *obiter dictum* and should not be considered a judicial verdict. What is more significant is the fact that in his third report to the Security Council on 22 April, 1952, Dr. Frank Graham categorically stated that part I of the resolution of 13 August, 1948, could be considered implemented. The initial task before the United Nations Commission for India and Pakistan was to stop hostilities. The cease-fire was agreed upon between the two parties and became effective on 1 January, 1949. The two Governments also agreed to the cease-fire line on 27 July, 1949. Again, dealing with part II of this resolution, Dr. Frank Graham concluded in para 36 of his report that this part of the resolution of 13 August, 1948, had also been implemented to a considerable extent. In this connection it is pertinent to note that the Prime Minister of India, writing to Dr. Graham on 11 September, 1951, stated inter alia : "As regards paragraph 4, the Government of India not only reaffirm their acceptance of the principle that the question of the continuing accession of the State of Jammu and Kashmir to India shall be decided through the democratic method of free and impartial plebiscite under the auspices of the United Nations but are anxious that the conditions necessary for such a plebiscite should be created as

quickly as possible." In para 46 of his third report, Dr. Graham had observed: "The chief remaining obstacle is the difference over the number and character of forces to be left on each side of the cease-fire line at the end of the period of demilitarization." The Security Council having received Dr. Graham's third report, dated 22 April, 1952, as well as his fourth report, dated 16 September, 1952, accordingly passed a resolution on 23 December, 1952.

Thus, the only issue to be settled was the number of soldiers on either side of the cease-fire line during the period of plebiscite. When India refused to support the United Nations' resolution condemning China as an aggressor during the Korean campaign, Nehru had declared that, "it was clear it wouldn't help to call a country an aggressor when you intended having dealings with it in order to reach settlement by negotiation . . ." How could Pakistan be an aggressor when India was negotiating with it 'in order to reach settlement'? But Nehru was sticking to the aggression bogey, not because it lent any strength to his case, but it served to confuse the issues which had to be urgently resolved. As *New Commonwealth* wrote: "Much of Mr. Nehru's moralising on the conduct of other powers now seems to many people as cant of the most nauseous kind, put up as a smokescreen behind which to practise his own aggression . . . proposal after proposal followed with Pakistan agreeing and India rejecting." Nehru utterly failed to realize that what appealed to the democratic imagination of the world were popular issues of people's freedom and self-determination and not dubious fights over legal

rights and wrongs. 'As a party aggrieved by the aggression of India', the world should have come out openly in support of India. If Pakistan were an aggressor, why has the world rallied round Pakistan and reprimanded India ?

Arms Aid Phobia

India has never failed to prick at any proposal for a plebiscite in Kashmir. India's latest pretext, said the Foreign Minister of Pakistan in 1957, "is that acceptance by Pakistan of American military aid absolves India from her obligations to Pakistan, to the people of Kashmir and to the Security Council to honour her agreement and cooperate in a free and impartial plebiscite." The Prime Minister had earlier told the nation: "It is extraordinary that the fact that Pakistan should decide to accept military aid from the USA in order to strengthen her defences should be regarded by the Indian Prime Minister as a ground for postponing or abandoning the efforts for an amicable settlement of the Kashmir dispute."

It was the coldest month of the year 1953 when Nehru injected a new virus into the body of Kashmir. He started with a harangue to the world that India was no longer bound to honour her commitments as the agreement was reached "on the basis of a certain situation but the whole context in which these agreements were made" had changed because Pakistan was receiving military aid from America and was a participant in regional defence alliances. Having abruptly scuttled the talks with Mohammad Ali Bogra, Nehru imagined an imminent danger to India even before an arms agree-

ment with the United States had been worked out. In a letter to Pakistan Prime Minister he said: "I do not know what the present position is in regard to the military pact of assistance between Pakistan and the U.S.A. But responsible newspapers state that large-scale military assistance and equipment, arms and training will be given to Pakistan by the United States. Some of us differ from them in considering this as a method of ensuring peace. It seems to us rather an encouragement to war. Whatever the motive may be, the mere fact that large-scale rearmament and military expansion takes place in Pakistan must necessarily have repercussions in India. The whole psychological atmosphere between the two countries will change for the worse and every question that is pending between us will be affected by it. We do not propose to enter into an armament race with Pakistan or any other country. Our ways of approach to these international problems are different from those of the nations of Europe and America. But it is obvious that such an expansion of Pakistan's war resources, with the help of the United States of America, can only be looked upon as an unfriendly act in India and one that is fraught with danger . . . Inevitably, it will affect the major questions that we are considering *and, more especially, the Kashmir issue*".

Nehru wished to think that we were receiving American military aid in order to settle the Kashmir issue by force and, if need be, even to attack India. But he never cared to realize that, like other struggling Asian democracies, Pakistan was not free from external threat to her independence. Kashmir or no Kashmir,

Pakistan in any case needed to modernise her army and she decided to welcome military aid not only to strengthen her defences but to save more rupees for national development. As a foreign observer put it, "No modern and sovereign independent state can afford to neglect its own defence. Without announcing to the world exactly the purpose for which it requires adequate armament, it merely asserts, as a matter of reality that, in the absence of effective measures to achieve universal disarmament, its voice carries more weight in international polemics with force in the background than it does without."

Secondly, as India has been Pakistan's sworn enemy since its inception, every issue is bound to be misjudged without a proper historical perspective. Thus, before American military aid started flowing into Pakistan, Prime Minister Liaquat Ali Khan, sent a telegram to Pandit Nehru. To quote the relevant part of this communication: "The strength of India's armed forces at the time of partition was double that of Pakistan. You have since persistently tried to increase that disparity, not only by constantly building up your armed forces but also by attempting to hamstring Pakistan forces by denying them stores which were their rightful share under the Partition agreement. Pakistan has, therefore, been forced to spend considerable sums on purchase of equipment wrongfully withheld by India. In spite of this, the increases in Pakistan's Defence Budget are less than half of those in India's Defence Budget. To suggest, therefore, that you have not carried out a reduction in your armed forces because

of Pakistan's actions is a complete travesty of facts. Because of this disparity between the armed forces of the two countries, it is fantastic to suggest that there is any danger of aggression against India from Pakistan. The greater size of India's armed forces, the manner in which they have been used from time to time in neighbouring territory, and the repeated threats to the security of Pakistan by massing of your troops against Pakistan's frontiers can leave no one in doubt as to where the potentiality of aggression lies".

Thirdly, there are certain illusions about American military aid which deserve to be demolished. Both Pakistan and the United States had made it clear that the aid shall never be used for aggressive purposes. Even before this aid began to pour in Pakistan, President Eisenhower pointed out that "the Mutual Security legislation directed that if the aid was misused or abused, then the United States were bound to take action either within or without the United Nations to thwart aggression. Equipment or anything else received under the aid could be used only for internal security, for legitimate self-defence or for participation in the defence of an area of which the country formed a part." Explaining it further, the Pakistan Prime Minister said that the objective was "to achieve increased military strength and a higher degree of economic stability, designed to further international peace and security within the framework of the United Nations Charter."

Speaking more specifically, the United States representatives even warned Pakistan that if the aid was misused and if they ever chose to attack India, it

would be considered an act of aggression. They made it plain that the United States would always help the victim of aggression—whether it is Pakistan or India. Such oft-repeated declarations were, in fact, construed by many Pakistanis as United States' 'neutral' attitude towards the Kashmir dispute. As a spokesman of the Azad Kashmir Government put it "the reported United States statement declaring their neutrality on the Kashmir issue has come as a rude shock. If neutrality means that, as regards the dispute between Pakistan and India, the United States will remain non-committal, Amercia is resiling from its declared position. It is indeed tragic that the leaders of the United States of America sitting as the guardians of the bastion of democracy, have not once seen the issue in its correct perspective, namely, the right of self-determination for four million people of Kashmir." Thus, Nehru's fears were as baseless as his allegations; and the hullabaloo he raised was designed more to create a terror atmosphere than win a point in favour of his well-worn pacifist philosophy.

Nehru had developed such an arms aid scare that when the Kashmir issue was raised at the first Colombo Conference in April, 1954, he was in a towering rage and said he would 'tear to pieces' Mr. Mohammad Ali —a crude remark 'that produced the explanation, unnecessarily, that the words applied to arguments and not to the person of Pakisıan Prime Minister.' Nehru's sore affliction was Kashmir; whatever the cost or consequences, he could not face the frightening spectre of losing this state, 'a piece of my heart' as he once said.

It is believed that "Nehru voiced his fear that greatly increased armed forces in Pakistan, even though stationed outside Kashmir, would be in a position to strike into Kashmir territory at close objectives in a manner which must involve second thoughts on India's attitude to demilitarization." Nehru's apprehensions were based on the realization of "the military advantage which Pakistan enjoyed in the brief campaign of 1948 through the circumstances by which India was bound to reinforce her front, using only one indifferent and vulnerable road which ran west out of Jammu. In contrast, Pakistan could choose her point of attack from any one of several alternatives and not have far to move her troops in doing so."

Thus, for Nehru, the real issue was not American military aid but his Kashmir crusade. For India, 'the situation had changed' inasmuch as she found herself in 1953 in a much better and stronger position to hold on to Kashmir than she was in 1947. When the Kashmir dispute was brought to the notice of the Security Council, Hyderabad was still eluding her grasp, there was economic unrest and even political instability, there were more than 500 big and small States to be integrated, and there were scores of partition issues to be settled. Thus, when India apprised the Security Council of the situation in Kashmir, her feigned attitude was one of complete surrender; then it turned into indifference and, finally, she became so defiant that she was not even prepared to consider the question of plebiscite. So, if there had been any change in the 'balance of power' it was not because of American military aid to Pakistan

but because India found herself in a position to substitute the argument of force for the force of argument. Addressing a press conference in New Delhi on 2 April, 1956, Mr. Nehru made certain remarks which, according to a correspondent of the *Times of India*, "virtually ruled out a plebiscite in Kashmir under the existing conditions."

Finally, how do developments in Pakistan affect the human and democratic right of the people of Kashmir to determine their political destiny? America's internationally-known journal, *The Christian Science Monitor* wrote on 22 January, 1951: "Mr. Nehru in the matter of Korea has enjoined Western nations to be pliant rather than insistent and to recognise human factors involved. More of this approach in India's attitude towards Kashmir would help to substitute settlement for suspension in a very troubled area. Kashmir was a human problem which had nothing to do with American military aid to Pakistan". Mr. Mohammad Ali Bogra repeatedly pleaded that the two questions should not be put in the same stew-pot. But Nehru refused to be convinced. In a letter dated 5 March, 1954, he questioned Pakistan's decision which had changed "the whole context of the Kashmir issue, and the long talks we have had about this matter have little relation to the new facts which flow from this aid." As a rejoinder to his growing critics but perhaps more as a diplomatic ruse, Nehru gave yet another assurance *after* the military aid pact was signed. "India still stands by her international commitments on the Kashmir issue and will implement them *at the appropriate time*" The time

factor is, of course, very important but Nehru died ten years and twelve days after this statement.

Ratification Racket

The Indian leaders have been deceiving the world with vain words; they have been crying wine and selling vinegar. First, Nehru claimed that the Maharaja's decision to accede to India was proper, legal and constitutional. When the Security Council discovered the circumstances which led to this accession, Nehru continued to stick to this legalistic stand, but demanded that Pakistan must be declared "an aggressor" before he could be expected to negotiate for a plebiscite. Again, as this argument failed to carry conviction, he found other excuses to prolong the dispute and to make the holding of a plebiscite more and more difficult. Thus, Nehru's "strong disapproval" of Pakistan's decision to receive military aid from the United States and her participation in the Middle East defence pacts was couched in a language which was almost suggestive of a challenge to the integrity of Pakistan as a sovereign state. This feint also misfired; as Nehru discovered more and more cracks in his defence line, he came out with another weapon in his armoury—the Constituent Assembly of Kashmir had voted for accession to India. Speaking in Indian Parliament on 4 September, 1957, Mr. Nehru tried to browbeat all his critics by a simple declaration that there was no need of a plebiscite as two elections already held in Kashmir "represented public viewpoint in the State." When he was reminded of his assurance that this verdict would not "come in the way" of the Security Council resolution, Mr. Nehru was

surprised. When he was reminded of clause 8 of the resolution calling upon both India and Pakistan "to refrain from any action likely to prejudice a just and peaceful settlement," Mr. Nehru was angry. When the world press pointed out to him that the Assembly was not a reliable barometer of public opinion in Kashmir, Mr. Nehru was pained. When his own countrymen urged him to reconsider the whole position, Mr. Nehru was bewildered. And, when Pakistan told him that both the elections held in Kashmir were farcical, Mr. Nehru was, of course, very furious. Perhaps, one of the easiest thing is to find a staff to beat a dog because, as the Italians say, 'pretexts are not wanting when one wishes to use them'.

From the very beginning, the Indian Government was told that "any attempt to bring about accession, except through the agreed plebiscite, is a violation of India's commitments to the Security Council" and contrary to the assurances given to the United Nations. Pakistan's Foreign Minister immediately told the Security Council that India's move was "not only a prejudicial act . . . but deliberately designed to by-pass the United Nations and to prevent the holding of a free and an impartial plebiscite." When the Government of Pakistan protested against the convening of a fake Constituent Assembly to give a final verdict on the issue of accession, Sir B.N. Rau, the then Permanent Representative of India in the United Nations, assured that "his Government's view was that while the Constituent Assembly may, if it so desired, express an opinion on the question of accession, it could take no decision on

it." On 29 March, 1951, he again said : "Some members of the Council appear to fear that in the process the Kashmir Constituent Assembly might express its opinion on the question of accession. The Constituent Assembly cannot be physically prevented from expressing its opinion if it so chooses. But this opinion will not bind my Government or prejudice the position of this Council." Later, another Indian representative reiterated that "so far as the Government of India was concerned the Constituent Assembly for Kashmir was not intended to prejudice the issue before the Security Council or to come in its way." Again, Mr. Krishna Menon told the Security Council : "It is quite clear that the function of this Constituent Assembly is to make a constitution for Kashmir." Mr. Ayyangar had earlier assured that "the plebiscite will be taken under the advice and observation of persons appointed by the United Nations. The convening of the National Assembly under these proposals was to be in aid of and for the purpose of holding a plebiscite and not as an alternative to it."

But these were all assuaging statements because they did not give up the constituent assembly argument and refused to hold a plebiscite on the slippery ground that this body and two subsequent general elections 'have already ratified the accession'. Thus, they demonstrated that they belonged to the category of those who declare, without compunction, "my tongue may swear but I act as I please." We must remember that the resolution ratifying accession was passed after Sheikh Abdullah was thrown out. On 27 October, 1950, the General

Council of the All-Jammu and Kashmir National Conference had adopted a resolution recommending the convening of a Constituent Assembly for the purpose of determining the 'future shape' and affiliation of the State of Jammu and Kashmir. It proposed action to convene such a Constituent Assembly in the area 'which is only a part of the whole territory of Jammu and Kashmir,' and reminded "the Governments and authorities concerned of the principle embodied in the Security Council resolutions of 21 April, 1948, 3 June, 1948 and 14 March, 1950, and the United Nations Commission for India and Pakistan resolutions of 13 August, 1948, and 5 January, 1949, that the final disposition of the State of Jammu and Kashmir will be made in accordance with the will of the people expressed in the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations." It was affirmed "that the convening of a Constituent Assembly and any action that assembly might attempt to take would not constitute a disposition of the State in accordance with the above principle."

Secondly, the argument regarding ratification through two general elections is 'equally weak', as Mr. V.B. Karnik, an Indian intellectual, said in the course of an introduction to a book whose Muslim author was imprisoned for refusing to practise the common Hindu virtue of dissimulation. "In the first place, accession was never an issue in the elections, and, in the second place, the elections were neither free nor fair. Except in the Jammu area there was no rival political party.

Kashmir was a one-party State and both general elections were a one-party affair. In the 1957 election in the case of 59 seats out of 72 secured by the National Conference there was no contest. In 1962, 34 were uncontested".

Thirdly, there were numerous complaints about rejection of nomination papers and the use of graft and coercion to compel the candidates to withdraw from the electoral contest. As Mr. B. Shiva Rao, an Indian political commentator put it: "These figures have been claimed as 'overwhelming evidence' of support for the State's accession to India. But they are too overwhelming and create an element of suspicion, since such massive majorities are not normally known in truly democratic countries."

Fourthly, the Assembly which consigned Kashmir to Nehru's paternal care could hardly claim any democratic status as not only large sections of the population in the India-held Kashmir refused to participate in this stage-managed electoral drama, but it did not and could not represent that part of this split State where the people revolted and formed an Azad (free) Government of their own. But, in spite of all this, Mr. Nehru believed that the Assembly could not be more representative as all the 75 members of this august body were elected unopposed! Newspapers throughout the world testified to the fact that the elections were conducted in an atmosphere of terror, with Indian troops standing by to ensure that Nehru's men were returned without opposition. With police at the polls; and a

bullet at the back of a ballot, the elections could not be "good", as Nehru claimed.

Of all the Princely States in India, why was Kashmir accorded a special position? The Governments of India and Kashmir arrived at an understanding which resulted in the Delhi Agreement of 24 July, 1952. Explaining the constitutional position, at a press conference, held in the presence of Sheikh Abdullah and Mirza Afzal Beg, Nehru observed: "The government of India's assurances to the United Nations do not deal with the internal conditions or arrangements governmental or the other, or our relations with each other. The United Nations deal with certain basic problems. We have given an assurance that the people of Kashmir will decide about their future and that a plebiscite should be held to decide that. We stand by that." Outlining the objective of Article 371, which conferred a special status on Kashmir, Indian leaders often asserted that it was 'intended to and did not rule out a plebiscite'. Secondly, the Constituent Assembly "was meant only to give a representative Government to Kashmir and was not intended, likewise, to be an alternative to plebiscite . . ." The All-India Congress resolution on Foreign Policy, passed in Delhi on 19 October, 1951, shed more light on the extraordinary place of Kashmir in the constitutional set-up: "The Congress would welcome an early plebiscite in Jammu and Kashmir State under proper conditions... The Congress welcomed the constitution of a Constituent Assembly in the Kashmir State and hoped that through its efforts the State will make even greater progress". How could they embrace both

the Constituent Assembly and plebiscite if one alternative eliminated the other? In fact, the Constituent Assembly was merely the National Assembly defined and designated earlier; it was not a substitute for but a preparatory step towards plebiscite.

The Communal Complex

Thus, we have seen how, bit by bit, moment by moment, step by step, Nehru demolished his own case. The aggression bogey could not stand a moment's scrutiny. The plea that no plebiscite was possible because the situation had changed and much water had flown down river Jhelum since that promise was made was more an escape than an argument because the issue could never be settled and the final disposition of the State could never be decided as long as the people of Kashmir were not given a fair opportunity to register their will and express their wishes in a free democratic atmosphere. The verdict of the so-called Constituent Assembly on the accession issue has been challenged not only by Pakistan and Azad Kashmir, but by the very people whom Nehru professed to represent. A plebiscite has been universally prescribed as the only peaceful means available to determine the final disposition of this disputed State but as Kashmir was always his 'blindest spot', Nehru could not see the reasons which the whole democratic world had seen and suggested to him. But, Nehru and his agents discovered yet another theory whose postulates betray the sadist mentality of those who go about justifying India's usurpation of Kashmir. It was said that any move to upset the integration of the State of Jammu and Kashmir with the Indian Union

would inevitably lead to communal riots, with devastating consequences for the Muslims who are basking in the sunshine of Nehru's secular State. But the fear of communal disturbances in the wake of a Kashmir settlement existed no where except in Nehru's own mind. Does it mean that the 70-million Musalmans living in India are being held as hostages? It was a terror diplomacy the like of which has yet to be seen by the civilized world.

Nehru wanted to continue Hindu hegemony over Muslim Kashmir in order to demonstrate the truth of his secular philosophy. But, he forgot that Kashmir was only a link in the chain of events which have left indelible scars on the history of the subcontinent. And, the only way not to let Kashmir become a springboard of conflicts that will inevitably lead to communal killing was to accept the implications of the principle that sanctioned the partition of the subcontinent in two separate sovereign States. Nehru could not efface history ; he could not even face it and accept the logic of the separatist movement which culminated in the creation of Pakistan. The bubble of communal trouble threat is too transparent to need any pricking. Nehru spoke of communal trouble as if perfect communal peace and Hindu-Muslim harmony had always prevailed in this part of the world. Nehru wanted to tear off the pages of history and write his own script on the birth of the Muslim nation which, he believed, was merely "an emotional state of mind". And, for him, the "oneness" of India was not only a mental obsession or an intellectual idea but a political ideal to be passionately

pursued and realized. This is how he luridly summed up the case: "It is not Kashmir, therefore, but rather a much deeper conflict that comes in the way of friendly relations between India and Pakistan and the situation is a grave one. We cannot give up the basic ideal which we have held so long and on which the whole conception of our state is founded." He once told a United Nations representative, "one day integration will inevitably come. If it will be in four, five, ten years—I do not know." In a statement to a correspondent of the *Washington Post*, he admitted that 'Indo-Pakistan confederation remains our ultimate aim'.

Nehru often challenged the *raison d 'etre* of Pakistan because it did not come up to his ideals—it was 'neither secular nor democratic'. Thus, he felt justified in accusing Pakistan of 'using Kashmir as a plaything'; for him, 'it was not a question of territory. It was a human problem and the whole structure of Indian secular democracy had been built in a particular way and Kashmir was a part of it'. In other words, Kashmir was not only a land of scenic beauty but a model of India's secular mansion. What do they mean when they say that India is a secular State? And, more pertinently, why do they say it? They cannot say that secularism is the negation of spiritual and religious values because they hysterically preach and practise Hinduism. It could only mean that, in a secular State, there is complete equality of citizenship irrespective of religion, a full sense of security in respect of life, culture, property and personal honour, freedom of movement within the country and freedom of occupation, speech

and worship. If these are fundamental rights which should be guaranteed by the constitution and courts, Indian secularism is a hoax; it has drawn a veil over its face, but it is as deceptive as it is thin. In India of today, every official function is inaugurated with recitations from the old Hindu scriptures; foundation-laying is always preceded and followed by Hindu rituals; every occasion is observed with the singing of Hindu hymns; and every celebration becomes a crescendo of Hindu mantras. What is more, they expect all non-Hindus to stew in the Hindu juice before they can even claim to live in the country. New states have been created in India on a linguistic basis, but the principle of provincial autonomy applies only to Hindu majority areas. There is no consideration for Kashmiri Muslims, Naga Christians and Punjabi Sikhs; in fact they have acquired the category of a new caste because they are all non-Hindus. British missionary Michael Scott, expelled from India for 'prejudicial activities' fears that "if no political proposals are made, and if the terms of a durable peace are not agreed then another blood-bath in Nagaland is inevitable." The Uttar Pardesh Government in India has declared as criminal the four tribes of Sikhs inhabiting Tarai area.

But the specific targets of their hate and hostility are the Muslims. What is the record of India's three Prime Ministers since 1947? An apologetic view could be that Nehru was genuinely secular because he was basically an agnostic. But Nehru was also like 'many preachers who do not hear themselves'; during his 17-year rule, there were more than 600 anti-Muslim

communal riots in India. During his 17-day war with Pakistan, Shastri conjured up all Indian Muslims as suspects and saboteurs. After a thorough investigation, the *New York Times* correspondent made these revelations: "Eight thousand Muslims were arbitrarily arrested during the Indo-Pakistan war . . . A scientist sent to sensitive frontier area on a Government-sponsored expedition is held by the Border Police for questioning only because of his Muslim name . . . An eminent educator notices that he gets invited to official receptions in New Delhi only when the guest of honour is a visiting dignitary from some Muslim state . . . A member of the Parliament is told by a colleague that Dr. Zakir Husain used a watch radio to transmit secret information to the enemy during the war." When doubts are cast on the loyalty of the head of the State, the plight of lesser Muslims can better be imagined than described. Unlike Nehru, Shastri was such a devout Hindu that, according to India's *New Age*, he "has had an intimate behind-the-scene association with the Jan Sangh and the Rashtrya Sevek Sangh, whose dictator, Mr. Golwalkar has been acting as his spiritual mentor and political chaperon".

Under the towering nose of Mrs. Indira Gandhi and during 1968, the International Year for Human Rights, an undetermined number of Muslims perished in Meerut, Calcutta, Allahabad, Karimganj, Mangalore, Hyderabad, Aurangabad and Nagpur. As religious hysteria spread to Ranchi, an industrial town, Muslims were 'trapped and slaughtered with their families in their government-supplied houses.' (They had put dis-



NEHRU PARK IN SRINAGAR: Kashmir's capital city called years ago as a 'fairy city of dreamlike beauty' is being described today as a 'slave city of dreamlike horror'.



A Kashmiri refugee woman and her child seen in a camp at Gujar Khan, West Pakistan.

tinguishing marks on all Muslims houses). During her barely 3-year old tenure of office, the heavy toll of Muslim lives provoked a retired Major-General of the Indian army to tell a foreign reporter, "It is time we stop talking about communal riots. These are massacres like the pogroms . . . the aim is to push us back into ghettos." Aside from physical dangers, 'young Muslims are convinced that they face systematic discrimination in colleges, private industry and government service.' The results of competitive examinations show as if there was not a single Muslim now living in India. Exposing the myth of Indian secularism, the *Hindustan Times* said in the course of an editorial : "It would be evading the truth to pretend that the majority community has shed its communal complex sufficiently to make possible the minority's integration in national life. Discrimination against the Muslims still manifests itself in an insidious rather than overt form and colours many an informal decision at the level of day-to-day living. Nowhere in this tendency more perceptible than in the area of private or public employment being more pronounced in recruitment to the humbler jobs . . . Policies pursued by the Congress rulers have been directly responsible for Hindu communalism. Because of these policies, even the election of a Muslim to the highest office in the land failed to remove mutual distrust between the two communities."

All this has happened under the aegis of Congress which not only parades itself as the freedom party but gloats over its non-communal, rosy complexion. But the mask was off when, the other day, the editor of a

right-wing Indian paper predicted that Muslim-baiting Jan Sangh and the Indian Congress would soon coalesce 'because both are basically Hindu organizations'. Is it not better to declare India a hundred per cent Hindu state than perpetrate these inhuman crimes behind the smokescreen of secularism. The declaration will at least help them to shed their traditional hypocrisy and perhaps engender among the Indian Muslims a new vision of their future. And, finally, why make Kashmir a scape-goat of their secular adventures ? If India is determined to fight the battle of her soured ideals and make Kashmir the symptom and playground of their philosophy, there is bound to be communal trouble. If the Kashmir issue is democratically settled, there can be no communal tension as there are minorities both in India and Pakistan. But these peace platitudes have never appealed to the Indian leaders. What President Ayub had termed, years ago, 'a time bomb' was bound to burst; as the 'flash point' neared, the smouldering situation in Kashmir erupted into a full-scale war between India and Pakistan.

CHAPTER 5

"Countries are well cultivated, not as they are fertile, but as they are free"

Time Bomb Explodes

TIME BOMB EXPLODES

In one of his confessional outbursts, the inimitable Indian demagogue Krishna Menon denounced Pakistan as Enemy Number One. All prominent denizens of the Hindu world have individually subscribed to this assessment without mincing words. I am not sure whether it is begging or asking the question: Why did they not shed their hatred of Pakistan when division of the country was the result of an agreed formula between the Hindu Congress, the Muslim League and the Sikhs? Our foreign friends are intrigued to find that the spectre of Hindu-Muslim madness is as menacing today as it was during the last days of the British rule.

According to the written testimony that Maulana Abul Kalam Azad has placed at our disposal for scrutiny and judgment, it was their conviction that Pakistan would soon fall and not their conversion to the idea of separation which led them to approve the partition plan. They were convinced that they were taking a calculated risk and Pakistan would go under before they get over the shock of partition. It is possible to adduce enough circumstantial evidence and prove that the Congress leaders would never have become an ostensibly willing party to division if they had an iota of doubt about the survival of Pakistan for more than a few months.

Who could doubt the credentials of Maulana Azad when he speaks of his life-long colleagues like Gandhi, Nehru and Patel? He has recounted the inside story of the circumstances that led to the creation of Pakistan.

Sardar Patel was the first to be 'convinced' that there was no alternative to Pakistan. It is believed that Lord Mountbatten's wife 'persuaded' Nehru to accept it. How and why did they revise their ideas after meeting Lord and Lady Mountbatten?

According to Maulana Azad, Gandhi said, "Partition has now become a threat. It seems Vallabhai and even Jawaharlal have surrendered. What will you do now? Will you stand by me or have you also changed?" Gandhi met Lord Mountbatten on 1 and 2 April, 1947. As Maulana Azad puts it, "What happened during the meeting I do not know. But when I met Gandhiji again I received the greatest shock of my life, for I found that he too had changed." And, yet, in an earlier statement Gandhi had warned the Congress that it could accept partition but "it will be over my dead body. So long as I am alive, I will never agree to the partition of India. Nor will I, if I can help it, allow the Congress to accept it."

There are also reasons to believe that the Congress triumvirate were secretly shown the partition plan which they accepted but maintained a feigned opposition to Pakistan to vindicate publicly their old stand and dispel suspicions into the bargain. At this private show, they were convinced that Pakistan would soon change, like the picture of Dorian Gray, and look 'withered and

wrinkled.' They were made to believe that it would not be a wall but a veneer which would separate the two newly-born States. They were sure that truncated Pakistan would be torn to pieces and, to use an automobile term, its agents would not be given time to carry the parts to the assembly plant.

The idea that Pakistan would not last long was whispered to Afghanistan and the Pakhtoonistan stunt was born. As the correspondent of *The Times*, London, observed : "It is, however, a curious fact, that Afghan officials habitually express their certainty that Pakistan is fated, in due course, to disintegrate and be merged into a reunited India which suggests that the claim to Pakhtoonistan may possibly have been formulated at a time when this event seemed more probable than now, with an eye to an eventual division of spoils". After a few years, the same journal reported that the Afghan Government had lost hopes 'but the commitment remains'.

The finale of the first act in the drama was witnessed on 15 August, 1947, when according to Campbell Johnson, "the Mountbattens' drive home was only the second of several tumultuous rides during the day, and all the way back to Government House the cries of 'Jai Hind' were mixed with 'Mountbatten Ki Jai'. Churchill put it epigrammatically when he said that Nehru would supersede Gandhi when "he has squeezed the last drop from the British lemon."

Thus, it started with a conspiracy, but it failed; when they saw Pakistan saddled, they threw challenge after challenge, but were beaten back each time they

tried to stage a showdown. As Pakistan did not crumple and all their hopes were dashed, they opened the book of Chanakya, turned its leaves and found a whole bag of tricks to deal with the enemy. They burdened Pakistan with 10-million refugees, but the caravan of Pakistan did not halt. They stopped the canal-waters supply, but Pakistan remained afloat. They pocketed Pakistan's share of cash balances, but Pakistan did not crash. They gave no coal to our railways, but our trains did not lose the power of locomotion. They usurped Kashmir to lengthen our peripheral defence line, but Pakistan did not collapse. They denuded Pakistan of all sinews of survival, but Pakistan did not succumb to their machinations. They did not let Pakistan breathe freely for a moment; it was blow after blow, but Pakistan always recovered. It was not even a straight fight ; it was always a stab in the back. Quaid-i-Azam pleaded for "burying the hatchet" and cultivate cordial neighbourly relations. It did not appeal to them because reconciliation with Pakistan would be renunciation of their objective to work for the capitulation of Pakistan. They thought that Pakistan was a bad coin which must get out of circulation. But the new state remained a legal tender and the world accepted it as its intrinsic value. The virus infected the whole Hindu population ; they were so lost in twilight twitters that they could not see the rising sun of Pakistan.

Every move was calculated to impoverish Pakistan; every utterance was a threat to undo Pakistan ; every step was a spade to dig the grave of Pakistan ; and every

act was a link in the chain of events which cast their shadow of death on the subcontinent. As these designs are properly placed and integrally co-related, we find ourselves unfolding a scroll on which both the Mahatmic and Mahasabhite Hindu leaders duly appended their signature.

Some projected the historical perspective into the future and prophesied that India was destined to be one country. Some had intellectual reasons to advance against division and for ultimate merger. Some expressed the poetic wish that physical separation would not divide the hearts; the creation of Pakistan and Hindustan was temporary estrangement between two brothers! Some took a strategic stance and thought that the existence of Pakistan was a danger to the safety and security of India.

Nehru often tried to assume an air of reticence but he was never vague in his pronouncements against Pakistan. Imagine what he reportedly told a senior British Officer: "Our deliberate plan would be to allow Jinnah to have his Pakistan, and gradually make things so impossible economically and otherwise for Pakistan that they would have to come on their bended knees and ask to be allowed back into India." In an interview to C.L. Sulzberger of *New York Times.* on 2 March, 1957, Mr. Nehru said, "I would have said that certainly we should have some kind of confederation, not federation—independent states with common defence and economic possibilities . . . The difficulty now is if we talk about it, this upsets our neighbour (Pakistan) because we are so much the bigger. Nevertheless, of

course, this remains the logical future path . . ." Having endorsed the partition plan, even Gandhi decreed war against Pakistan because it was a 'blasphemy' and the bisection of India a sacrilegious act.

Thus, it was a torrent of insults and invectives, a masterpiece of abusive oratory. They have indeed made an explosive contribution to the inter-state political battle which has not ceased for a moment since 1947. Everybody joined the chorus—the Congress luminaries, the Socialist leaders, the Mahasabha firebrands, the Jansangh jingoists and the smaller sabre-rattlers. We never expected them to embrace the makers and friends of Pakistan, but could they not even refrain from issuing recriminatory statements on the eve and morrow of partition? It has been a crises-ridden life for Pakistan for, even when the surface seemed calm and the fringe frustration removed, the storm was brewing all the time. There were no signs of friendship because Indian leaders not only attacked Pakistan, not only attacked the ideology of Muslims but challenged the very basis of separation which brought the new State into being.

Every time there was a popular resentment in Pakistan against Indian policies, they brought their troops right to the border. India has been poised for an invasion of Pakistan at least five times since 1947. There is only physical and no moral difference between the use and demonstration of force. This show of force cut no ice but it surely cut deeper the wounds that needed to be balmed. It inevitably led to more mutual fear and suspicion, more distrust and more ill-will.

For Indian leaders, compromise means surrender and peace means 'peace on our terms.' "If the methods we have suggested are not agreed to, it may me that we shall have to adopt other methods," thundered Nehru in the Indian Parliament on 23 February, 1950. Two months later, Nehru referred to the 'disaster in Bengal' and added that it was 'a prelude to an even greater catastrophe' because Pakistan and India had reached 'the edge of a precipice.' Mr. Ian Stephens interpreted it thus : "What Pandit Nehru said to us (at a press conference) was equivocal, the sort of Either-or address at which he is adept. A Hindu fellow-editor remarked to me afterwards : 'He means war.' By the first week of March, war had nearly come ; the two countries were within an hair's breadth of it. Troops had been moved not only in Bengal but—more perturbingly—in the Punjab. India's armoured division, to which no real Pakistani counterpart existed, was pushed forward in a way which threatened Lahore."

In the course of a press conference on 15 March, 1951, Mr. Nehru turned fiery red and said that 'it was the business of the Indian armed forces to occupy the whole of Kashmir if there was any danger to any part of it.' In April, 1951, Indian Minister Jain echoed, 'If Pakistan does not behave we shall have to do something to make them realize and behave in a civilized fashion.' In June 1951 Mr. Nehru again blurt out, "We will tolerate no nonsense about Kashmir, come what may." Within a few days the bulk of Indian army was menacingly massed along Pakistan borders. Mr. Liaquat Ali Khan offered a 5-point peace plan, but Nehru turned it down.

It had reminded India of their "solemn commitments to the United Nations for the renunciation of the use of methods of force in the settlement of any disputes."

On 25 February, 1956, the Indian armed forces forcibly occupied the disputed area of Chhad Bet in the Rann of Kutch. In February, 1957, India again started massing and stationing her troops around the frontiers of Pakistan. They were seen strategically moving and digging trenches along the border. In April, 1958, the Indian forces resorted to indiscriminate firing near the Cachar-Sylhet area in East Pakistan. If they had regarded it as a trivial border issue, the Indian Home Minister, Pandit Pant, would not have threatened, after four months, 'to show India's might to Pakistan in a befitting manner.'

Defeat and Diplomacy

Unable to win any battle against Pakistan, they thought that nothing short of war could 'teach Pakistan a lesson'. Could they venture it without strengthening their armoured divisions and fighting forces? Powerless to maintain the falling facade of non-alignment and anxious to build a modern war machine they provoked China, suffered a defeat and appealed to the West for arms, ammunition and equipment to fight their next door mountainous neighbour. The debacle of 1962 became a spring-board for Indian politicians and they lept from the highest pedestal to the lowest rung and finally plunged into Western waters ; thus started the shopping spree for all types of military hardware and India became such a popular and reliable customer

that, apart from gifts and grants, she had initially to pay only ten per cent of the price.

The Indian leaders bellowed out that the scales had been tilted and India must augment her war potentials to fight the Chinese bugbear. The donors were forewarned that India's bursting military might was bound to be hurled against Pakistan. But Pentagon thought that our fears were unfounded and we were perhaps suffering from optical illusion ; in fact it was a case neither of myopia nor neurosis because anybody could see India poised and preparing for attack on Pakistan. Besides, all experts pointed out that any large-scale Sino-Indian war was a military improbability.

The Chinese bogey cannot stand a moment's test ; it was only a border clash and Chinese withdrew to their original positions. The two 'belligerents' did not even recall their ambassadors. What is more, during the conflict with China, India kept her best divisions on the borders of East and West Pakistan. The lid was off when, defining India's Five-Year Defence Plan, Mr. Chavan declared that "we shall see that India becomes the grave of Pakistan." He also confirmed Pakistan as Enemy Number One when he said at a public meeting in Jaipur that "the struggle between India and Pakistan originated when Pakistan was born." Thus all types of arms and equipment India acquired could only be employed against Pakistan. Even the United States, Soviet Russia and British Government realised that it could not be used against China. The former U.S. Joint Chief of Staff, General Maxwell Taylor, lent full support to the contention that India was prepar-

ing to fight Pakistan, not China. Even Mr. Nehru had once conceded that "most of our military thinking had been conditioned to the possibility of a war with Pakistan." A former commander-in-chief of India had publicly declared that the entire military strategy of India had been tailored to meet the requirements of fighting Pakistan as there was no other enemy.

For several years, after partition, they expected Pakistan to repent, report failure and seek reunion; their wishful thinking had completely blinded them to the stark reality of Pakistan as a living and viable State. During the next few years, they thought that Pakistan was strong enough to repel aggression. It was only after the massive military aid from the Western countries that they began to show their teeth. India's feverish war preparations had paved the way; an armed conflict with Pakistan seemed imminently close . . .

At last the sulphureous hate passions flamed up and found an outlet; it was a plot whose every act ominously led to the denouement; India finally opted for a showdown and attacked Pakistan on the morning of 6 September, 1965.

Was the September war a sudden flare-up or an inescapable consequence of policies India had wantonly pursued all these years? We have seen how India wanted to put out the candle of Pakistan immediately after partition. Mr. Mehr Chand Mahajan, former Chief Justice of India and ex-Prime Minister of Jammu and Kashmir, has now disclosed that the Indian Government planned to attack Pakistan in December 1947.

Writing in the daily *Tribune* of Ambala, Mr. Mahajan said : "The Indian Government now proposes to follow the well-known rule of military science that offensive action against an aggressor is the best form of defence. "It may interest the readers to know that such a decision was taken as early as in 1947 by Sardar Patel at a meeting held in December of that year in Jammu at General Kulwant Singh's headquarters."

Mr. Mahajan said that "this meeting was attended among others by the then Indian Defence Minister, Sardar Baldev Singh ; General Thimayya ; the Maharaja of Patiala ; the Jam Sahib of Nawanagar; the Dogra ruler of Jammu and Kashmir, Hari Singh ; Mr. Mehr Chand Mahajan, as his Prime Minister ; and Bakhshi Ghulam Muhammad." As a preliminary to invade Pakistan, "General Thimayya was requested to recruit and train guerillas and the military headquarters were to plan the steps to be taken."

According to N.C. Chaudhuri, an Indian writer, "the first objective of the 'new militarism' acquired by 'the Hindu Government' was Pakistan, because the 'illusion which they nursed at first was the idea of putting an end to the existence of Pakistan by what they thought would be walk-over." Mr. Chaudhuri thinks that he is 'right in saying "that at least twice, if not three times, between 1947 and 1954, India intended to invade Pakistan." The invasion was presumably called off because they thought that Pakistan contained the seeds of its

own destruction. For the first few years they expected Pakistan to disintegrate and send mercy petitions to New Delhi for reunion; during the next decade, they believed that they could not easily inflict a military defeat on Pakistan; it was only after massive aid was poured into India's defence pipeline that her ruling junto became too big for their boots. They have been lying in ambush, marking time and getting ready to pounce upon Pakistan, the most delectable prey. In any case, being a neighbour, Pakistan was a fine target for practice-shooting! The military hardware they had received for emergency or regular use against China had also to be tested. Above all they were itching 'to wash out the black spots' of China and Rann of Kutch wars in which they were ignominiously defeated. They were foaming to prove the 'worth of the Indian soldier'.

It is possible to establish an arithmetical equation between the timing of the Western military aid to India and the series of events which suddenly changed the countenance of her rulers. I am not referring to stray episodes but deliberate acts of commission which can only be attributed to a morbid state induced by power-drunkenness.

Without the slightest compunction, India capitalised on border skirmishes with China in order (a) 'to unite the country that was rapidly falling apart' and (b) 'to get foreign military assistance in a massive way.' Apart from augmenting her indigenous defence production, India's immediate defence targets were 21 divisions with a large number of additional units; air force of 25

squadrons; and a navy with a fleet of submarines, aircraft carriers, cruisers, destroyers and frigates.

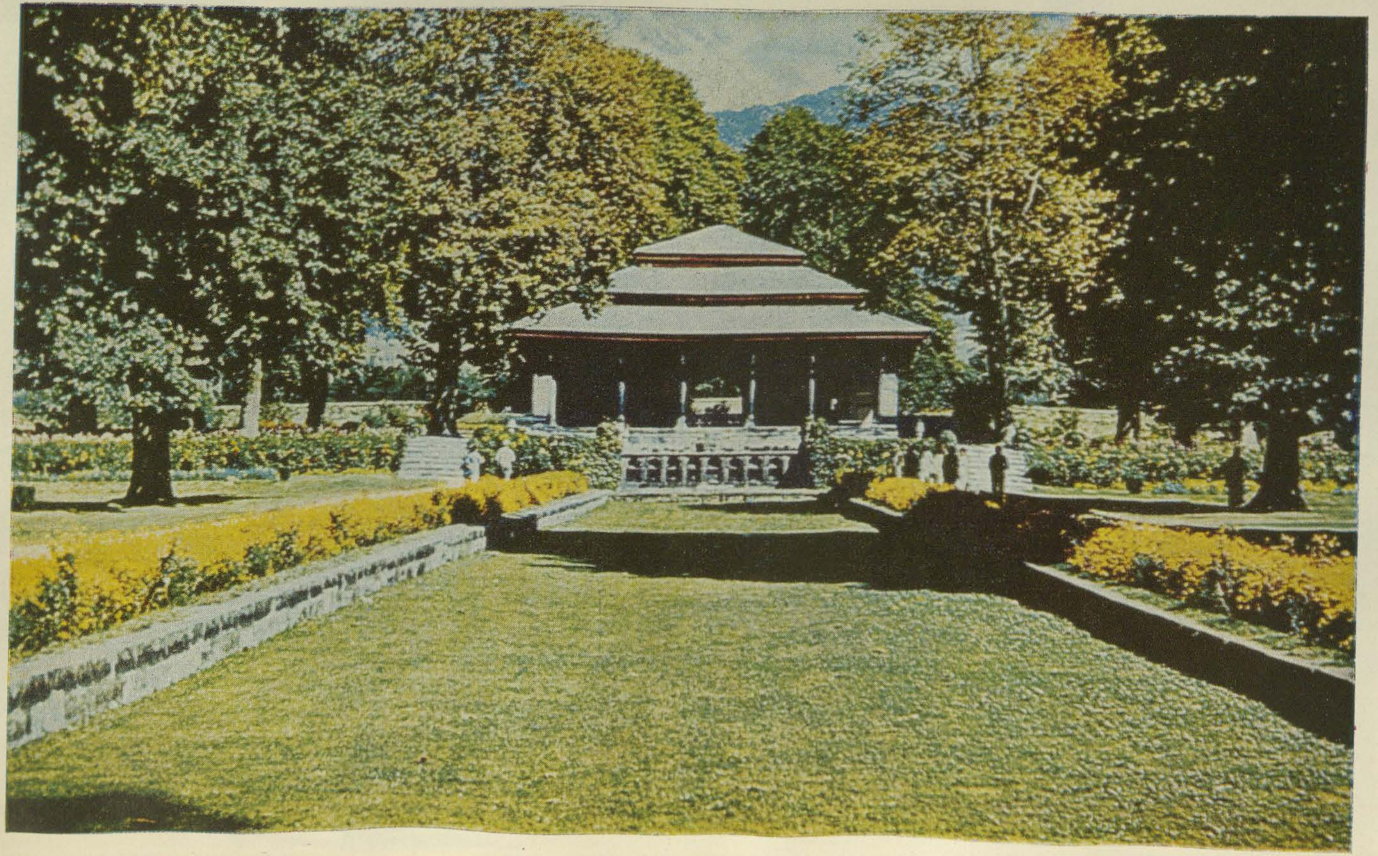
First, it was "emergency aid" and Pakistan was solaced by United States and United Kingdom that it was 'limited, controllable and of a defensive character'. It was soon extended to "short-term aid" and India was promised 120-million dollars worth of military assistance. The imperatives of the situation had so radically changed that we were bound to protest, but even the American critics of this policy were told that "Pakistan would sooner or later adjust itself to the military assistance that was being given to India on a long-term basis in the same way as India had adjusted itself to the long-term military assistance that was given to Pakistan."

Thus, India was assured of military assistance to the tune of 100-million dollars a year. The Indian rulers accepted no obligations, but Pakistan's friends and allies made commitments to ensure the implementation of India's Five-Year Defence Plan. Defining this plan at a press conference in London, the Indian Defence Minister said that their aim was "to create five divisions capable of fighting a mountain war." It was a whooping lie because India already had eight mountain divisions and an equal number of infantry divisions. In fact, as President Ayub pointed out: "India is now planning to have two defence forces—the original one, modernised and reinforced, poised as a clear threat to Pakistan, and the other one, supposed to be required against China, but so placed that it can also be used against Pakistan at any time."

It was a well-timed warning because in June 1964 the position was that six out of these ten mountain divisions were commissioned to encircle both East and West Pakistan. An authentic report prepared during these days exposed the falsity of India's claim that the ten West-equipped mountain divisions were raised to meet the threat of renewed aggression from China. According to this report, "three of the divisions are in the East Punjab area facing West Pakistan, while two of them have been deployed against East Pakistan—one in Barrackpore and the other in close proximity of the northern tip of East Pakistan. Of the remaining five, one is reportedly in Sikkim and another mountain division is stationed in Nagaland for coping with the Naga struggle for freedom. Only two of the mountain divisions—and even these are said to have been depleted because of demands elsewhere—are deployed in the NEFA area along the Sino-Indian border to meet the so-called threat from China! The remaining tenth mountain division is reported to be receiving 'final touches' and is soon expected to be ready for operational employment presumably against Pakistan."

Verdict on India

With this massive defensive base, India adopted a new military posture; the confrontation was complete and the Congress Government was ready for an armed showdown if the Kashmir dispute led to a total war with Pakistan. It was at this crucial moment that Mrs. Indira Gandhi, as a Minister in the Shastri cabinet, declared that the Kashmir issue should be and would be settled 'once and for all.' This is called arguing from a vantange



MUGHAL MAJESTY: A front view of Shalimar gardens in Srinagar.



The valley of Kashmir was rocked by a terrible commotion following the theft of the holy relic from Hazratbal shrine: one of the many scenes of violent disturbances in Srinagar

point, but little did they visualise the consequences of their monumental folly in Kashmir where the incendiary situation could start a blaze at any time. They also failed to realise the truth of the dictum that real causes produce real results. The Hazratbal episode, release and re-arrest of Sheikh Abdullah and the proposed integration of Kashmir with the Indian Union sparked a rebellion in the valley; the plebiscite demand had got on an escalator; they killed hundreds of freedom fighters, but the movement did not expire.

From 27 December, 1963, the day the holy relic was stolen from the hoary Hazratbal shrine near Srinagar, events moved so torrentially that many had a premonitive conviction that the rendezvous with destiny was near at hand. The valley was aflame and the puppet Government's fire extinguishers failed to tame the tidal wave of popular passions against the iniquitous Indian rule. There were strikes, demostrations and rallies all over the valley; the people demanded the recovery and restoration of the relic, but they were greeted with bullets and bayonets. Within 24 hours the people were chilled to learn that another shrine at Kishtwar had been burnt down. As they came out with black flags to condemn this new outrage, the police opened fire on the mourning Muslims. For India, it was the dire alternative to plebiscite ; for the democratic world, it was a 'spontaneous referendum' in which the people gave their verdict in unmistakable terms.

The only foreign correspondent in Srinagar at that time was Richard Critchfield of Washington's *Evening Star*. According to him, "between 300,000 and a half

million deeply grieving Muslims plodded doggedly in seemingly endless processions for the sixth straight day here yesterday . . . India's 15 years attempt to win over Kashmir is ending in tragic failure. For two weeks I was the only outsider witness in Kashmir to an incredible drama of religious passions and political rebellion . . ." *The New Yark Times* correspondent, who visited Srinagar on 5 February, 1964, reported "political unrest with distinctly pro-Pakistan slant simmered in Kashmir today despite 'identification' yesterday of a reputed hair of Prophet Mohammad." Indian authorities tried to bully the Kashmiri Muslim leaders into an admission that the recovered relic was genuine; there was renewed agitation and the people openly identified themselves with the demand for plebiscite and Abdullah's release.

Nehru and his Congress colleagues thought that another six years in prison might have 'reformed' and 'tamed' the Lion of Kashmir; they took a calculated risk and released Abdullah on 8 January, 1964 but, to their great surprise and sorrow, they found him as uncompromisingly opposed to India's Kashmir policy as before . . . Nehru died and Abdullah was re-arrested on 8 May, 1965, after his visit to Pakistan, Haj pilgrimage and tour of some Middle Eastern countries. No official explanation was given, but it was generally believed that he was fated to revert to prison because, during his stay in Algiers, he had an encounter with the Chinese Prime Minister! To many outsiders, Abdullah offered a way out of the impasse 'by proposing that Kashmir should become a bridge between India and Pakistan instead of remaining as a gulf between them.' But, "the bulk of

politically conscious Kashmiris have seen their hopes raised when Abdullah was set free, dashed by his new arrest."

Tyranny has a tragic way of gathering gravitational momentum ; one atrocious act leads to another ; as the people rise and register their challenge, the wielders of absolute power become more desperate and despotic, resort to more ruthless measures and commit more heinous crimes. Abdullah's arrest was another ignition signal ; there was another battle ahead ; the people were angry and enraged; but the new wave of freedom led to total suspension of civil liberties, wholesale arrests and imprisonments and there were reports of arson, riot, rape and murder perpetrated by the Indian occupation forces. As local witnesses told an American newspaperman, "the people are terribly afraid of being exterminated by India and the U.N. must come and see what is happening—it has begun to take the shape of genocide."

How long could India keep the Kashmir dispute on ice when they were stoking the fires of rebellion ? In spite of the Security Council's latest directive to two parties to refrain from any act which might worsen the situation and Ayub-Shastri joint statement 'to settle the outstanding problems and disputes on an equitable and honourable basis,' the Indian Government announced measures to integrate Kashmir ever more closely into India. The decision to empower the President of India to extend President's rule to Kashmir in case of an emergency was a step to ensure complete absorption of the State. The move to change the designation of the head

of the State and Government was engineered to end the special constitutional status of Kashmir. The manifest intention was to make the State administration utterly subservient to New Delhi ; the announced programme tended to bring trade, commerce, industry, current prices, elections and even jurisdiction of State High Court under the Indian policy control. It was driving the last nail into the coffin of Kashmir ; as Pakistan protested and a campaign of civil disobedience was stirred in the valley, the Indian Home Minister declared that accession of the State to India was "final, complete and irrevocable." He dismissed "all talk of self-determination" as devoid of "meaning or relevance."

The Fatal Phase

At last the time bomb of Kashmir exploded on 8 August, 1965, when a Revolutionary Council was set up by the people of Occupied Kashmir to conduct an all-out war of liberation against Indian imperialism ; within a few days roads were cut, bridges wrecked, arms seized ; every front reported fierce fighting and there were pitched battles near Srinagar. According to a traveller who was in Srinagar upto 14 August, "the capital city of Kashmir gave the appearance of a beleaguered city—wire barricades, road blocks, trenches, bunders, anti-aircraft guns, tanks, jeeps moving about with patrol armed with sten guns, armoured cars with men standing out from watch holes." India charged that it was a surreptitious attack on its territory and the rebels were 'infiltrators,' equipped, exported and financed by Pakistan. The allegation might not have appeared to be without substance if it had been all quiet in the valley since 1947.

It was a massive revolt by the local freedom fighters; it was a part of the liberation struggle, and the general international reaction was that the Indian Government 'deserves little sympathy for its troubles in Kashmir.' It was not an invasion but an uprising, and top newspapers of the world affirmed that there was 'no evidence that the insurrection is taking place with Rawalpindi's blessing.' It should not have surprised Indian leaders because, as the *Economist* put it, "all sorts of wrong things happen when those who preach democracy don't practise it." The paper recalled that "Pakistan was told that India would like the dispute kept on ice while Mr. Shastri settled into office, but New Delhi then initiated a whole series of moves that tended to integrate Kashmir even more closely into India." India's own *Statesman* confessed that "the revolt in Kashmir was spontaneous and indigenous" because it was difficult "to be sure where in the past few days, imported trouble ended and the local began." The world press thought that it was a situation of utmost gravity and firm action should immediately be taken to find a peaceful and permanent solution. But, in this case, fears did not become liars, and hopes proved to be dupes. Commenting on the armed rebellion in India-held Kashmir, Britain's *Daily Express* said, "India is being dangerous and provocative in Kashmir. Day after day her (India's) troops are penetrating beyond the cease-fire line on hostile sorties—extraordinary conduct for a nation which professes to set a moral lead to the rest of the world."

Accusing India of enlarging the war *The Times*, London, wrote, "In the chronology of the escalation of

this conflict India has to its discredit each overstep." After their rout and retreat in the Rann of Kutch, the Indian troops were urgently in need of a morale booster; it was provided by Indian leaders in the form of vitriolic threats to Pakistan a few weeks before they attacked Lahore. On 28 April 1965, Mr. Lal Bahadur Shastri assured his people that, "Indian army would decide its own strategy in the manner it deems best." Within 48 hours came another astounding official statement: "India would strike at Pakistan at a time and place of its own choosing." On 17 May, 1965 Indian forces violated the cease-fire line at several points in the Kargil area and occupied a number of Pakistani posts. On 14 August, Mr. G.M. Sadiq, Chief Minister of India-held Kashmir said that "the invasion of Azad Kashmir could not be ruled out." On 22 August, the Indian Prime Minister discounted the possibility that the fight would be confined to Kashmir. On 23 August, the Indian Defence Minister informed his countrymen that "Indian troops had in the past been crossing the cease-fire line and would do so again." The Indian army lost no time, fired the first shot, crossed the cease-fire line on August 24 and occupied two Azad Kashmir posts in the Tithwal sector. On the same day, they again crossed the cease-fire line in Uri-Poonch sector, and took Haji Pir Pass.

When the Indian Defence Minister disclosed in the Parliament that Indian troops had actually crossed the cease-fire line in Kashmir, the news hit the headlines in Indian newspapers and was thunderously applauded by members of the Parliament. The announcement was

greeted not because India was constrained to cross the cease-fire line but was expected to do so any moment. As a leading London paper put it, "India has for the past few weeks been enjoying accounts of the victorious advance into Pakistan territory." Subsequent events show that a total war between India and Pakistan could perhaps be averted if the Indian army had not crossed the cease-fire line. The conflict was still confined to Kashmir, but it was again the Indian army that started indiscriminate shelling of a Pakistan village in Gujrat district. It was again the Indian Air Force which came into action for the first time in Bhimber sector. On 28 August the Government of India officially admitted that "the only effective measure we can take at the moment is to advance and that advance carries us across the cease-fire line."

Now there was an ominous interlude; as they had provoked Pakistan, they seemed to be sure that Pakistan would soon retaliate. The fact that the Indian jets were committed to battle within two hours after Pakistan launched a counter-attack in the Chamb-Jaurian area shows that it was all pre-planned. With lightning speed and movement Pakistan troops penetrated 17 miles into Occupied Kashmir; the Indian forces could not stand the thrust and were pushed back from village after village. New Delhi expected it, perhaps welcomed it; the hour had struck; it was time to launch their planned offensive against Pakistan. All the hot and humid air was let out of India's political atmosphere. The war clouds had come to stay; India was on the war path; everything was on a warfooting; the people were gripped

by war hysteria; the leaders were beating war drums; the Hindu battle cry was 'war, war, war' and 'we want atom bomb' to blast Pakistan. On September 4, the Indian Prime Minister said, "we believe in peace. We have worked for it and we shall never cease to work for peace." But the burlesque of holding out the olive branch did not last more than 36 hours. In the early hours of September 6, the Indian forces crossed the international boundary and mounted an invasion of Pakistan. According to a London weekly, "the war began when the Indians crossed the international frontier towards Lahore." *Washington Post* called it "Indian stab at Lahore" which Pakistan has "bluntly recognized." *Chicago Tribune* blamed India for "carrying the war into Pakistan proper by sweeping across the border in an attack aimed at Lahore." Prime Minister Wilson of the United Kingdom was deeply concerned at the news "that Indian forces have today attacked Pakistan territory" and Shastri's government had shown a "distressing response" to Security Council's cease-fire call. British philosopher, Lord Bertrand Russell, lamented that "for the Indian army to initiate hostilities for violation of the Kashmir cease-fire line was bad enough, but to attack Pakistan without warning was a naked aggression and reckless folly. It was a clear violation of the U.N. Charter and should be so described. Refusal to distinguish an aggressor from the attacked is cowardly and no service to peace." A leading American journal put it more tersely and truthfully: "The fierceness of Indian response suggests that officials in New Delhi may be venting their frustration over the very existence of Pakistan which some have never accepted."

Was it a surprise attack on Lahore? Perhaps, but what surprised the world was India's hard-to-hide military reverses. They were thrown back on every front ; their advance was halted and the attack repulsed; their dream was shattered and the myth of Indian might exploded. When the retreat became a rout, Mr. Chavan came out with the assuaging statement that India had not launched any win-the-war offensive ! For seventeen frustrating days they had to lick the dust on every front. For a while, they gloated over the ghost of their victory, but joy and jubilation were quickly dissolved in the bitter cup; the wild excitement yielded to quiet pusillanimity; they soon found themselves not wreathed with laurels, but stricken with lament; the dance of Shiva became a ritual of mourning. India seized the first opportunity to agree to cease-fire and Pakistan accepted it "in the interest of international peace and in order to enable the Security Council to evolve a self-executing procedure which will lead to an honourable settlement of the root cause of the present conflict."

The 'root cause' was Kashmir. Nehru histrionically managed to live with the tremors of this problem for seventeen years but it was left to mini-man Shastri, his 'wily and resilient' successor, to achieve a war with Pakistan. Nehru might have paved the way but Shastri was so desperate to wriggle out of his diminutive dimensions and prove that he was not a 'prisoner of indecision' that, after his aggressive war against Pakistan, the camp-followers began to accuse him of greatness which he neither possessed nor claimed. Shastri expired at Tashkent; many wonder whether he accepted the Soviet invita-

tion to sign a declaration or his death warrant. Perhaps, Indian occultists would like to believe that the sanctity of the agreement was violated even by nature, as Tashkent was rocked by a terrible earthquake soon after the tripartite conference. Both Indian and Pakistani leaders invoke the 'spirit of Tashkent' to bless their efforts for a rapprochement. Tashkent is still there but the spirit is no where to be found. Who has ostracized it? The travail of the return journey is worth trying.

CHAPTER 6

"There are some defeats more triumphant than victories"

Return From Tashkent

RETURN FROM TASHKENT

The signing of the Tashkent Declaration initiated a debate which appeared to be as fulsome as it proved to be fruitless. Some thought that the 'spirit of Tashkent' was a phrase of little meaning; other believed in the pragmatic promise of the declaration not only to heal the wounds of war but lay a firm basis of cordial relations between India and Pakistan. As the most elusive part of the agreement was considered to be a casual reference to Kashmir, the common man was keen to know whether the Tashkent Declaration was potentially capable of leading to a solution acceptable to India, Pakistan and the people of the State? Some commentaries on the subject were exasperating; the document was so academically examined that both the critics and apologists looked like participants in an undergraduate declamation contest. All these years, the dialogists have striven hard to explain the 'implied' and 'obvious' content of the Tashkent Declaration. It was time to give up 'platitudes and polemics' and treat the Tashkent Declaration as a 'framework' and not a 'settlement', 'a document of intent' and 'not a contract'. In essence, it was a door, an opportunity, a means to an end which was yet to be realised. Above all, it held out no better hope than a wish that its spirit would not be lost on Shastri's political heirs. In other words, Tashkent Declaration

was yet another barometer which put India's sincerity to the severest test.

All agreed that the Tashkent Declaration had produced an euphoric climate not only for imparting normalcy to India-Pakistan relations but for widening the door and finding an honourable and equitable solution of the Kashmir dispute. The general opinion was that "the Tashkent Declaration has opened the way for meaningful Indo-Pakistan discussion on the Kashmir issue. It also enables the Security Council to proceed with the implementation of the remaining part of its September 20 resolution, since its two preconditions for such a step (a cease-fire and the withdrawal of troops) have been fulfilled". An Indian correspondent of weekly *Thought* 'put it bluntly' that 'Soviet Russia no longer accepts the Indian view that Kashmir is a closed chapter, and this is no mere conjecture.' The Moscow correspondent of *Indian Express* reported: "The likelihood is that, within a few months, or a year or two, India and Pakistan will have to meet again under the Soviet Union auspices to discuss and settle the Kashmir dispute. This would be a logical development of Tashkent, and cannot be ignored in the belief that Tashkent is simply a device to perpetuate the status quo." Another optimistic view was expressed by *Daily Worker*, the British Communist Party organ: "The people of Kashmir were not represented at Tashkent. The decision should help to create conditions in which they can freely determine their own future".

But all these hopes were belied; India continued to hold on to three points in Sialkot sector, renewed

public support to 'Pukhtoonistan' stunt and, in clear contravention of Security Council's resolutions, the Governor of India-held Kashmir announced that the State would elect its representatives to Lok Sabha. It might have been possible to treat these deviations as minor matters but the fact is that there was a concatenation of instances to reinforce the belief that India was taking the Tashkent Declaration as a dead document. The climax came when she raked up all possible charges against Pakistan; her Foreign Minister hurled the accusation that the junior signatory to the agreement was indulging in "deliberate and sustained violation of the letter and spirit of the Tashkent Declaration". The allegation was palpably absurd; they had nothing in the diplomatic bag to substantiate the contention that Pakistan had in any way repudiated any part of the agreement. But, they attacked Pakistan in 'self-defence' because their tried tactics are to censure the other party before they are condemned for breaking a covenant.

In the beginning, Mrs. Indira Gandhi announced her "intention that all Indo-Pakistan differences should be settled on the basis of the Tashkent agreement". She saw in the Tashkent agreement "a chance to live in peace with our neighbour, Pakistan, and this is essential for our progress . . . All its provisions may not be advantageous to us but in any agreement like this, one has to give and take." As we were waiting to see what she has to 'give', she finally 'claimed that India was not obliged, under the Indo-Pakistan Tashkent Declaration of 1966, to settle the Kashmir dispute with Pakistan'. Thus, true to their familiar technique, there was no 'action' but only 'reac-

tion' with the result that 'the spirit of Tashkent had almost entirely evaporated'. Those who had believed that the Tashkent accord might constitute 'a door and not a barrier' are getting more and more disillusioned, said a correspondent of the *Round Table* in a forthright analysis of the situation following the Tashkent Declaration. According to him, Pakistan was convinced that her neighbour 'is a very slippery customer indeed. For hardly had the ink dried on the Tashkent Declaration than India began her own interpretation of its terms.'

Thus, it became indubitably clear that India merely wanted to remove the wreckage of war and not the root cause of the conflict. Even some foreign writers think that the Tashkent Declaration did not deal with the Kashmir dispute as it only 'noted its existence'. Its more important terms were speedy implementation of the cease-fire agreement, withdrawal of troops, repatriation of persons, cessation of hostile propaganda—and an exhortation that the two countries should harmonise their relations, prefer peaceful to other methods and live like good neighbours. But, what is the significance of the stress on high level discussion to settle 'matters of direct concern to both countries'? Is the reference to Kashmir couched in such cryptic words that it precluded any discussion on the subject? In what sense and how far the issue of Kashmir was given primacy at Tashkent? It is true that no conditions were reached on this crucial issue, but 'it would be unrealistic to assume that Mr. Kosygin invited the two leaders merely to reiterate their respective positions.'

War of Words

An exposition of Tashkent Declaration by an official spokesman of Pakistan Government is worth reproducing :

Tashkent Declaration consists of nine Clauses, with a preamble and a concluding paragraph.

The preamble talks of the resolve of the two parties to restore normal and peaceful relations between their countries and to promote understanding and friendly relations between their peoples.

The crucial clause in the whole Declaration is Clause I. It is this clause that must be fully understood in its phrasing as well as in its intent. It reads :

> " The Prime Minister of India and the President of Pakistan agree that both sides will exert all efforts to create good neighbourly relations between Pakistan and India, in accordance with the United Nations Charter. They reaffirm their obligation under the Charter not to have recourse to force and to settle their disputes through peaceful means. They considered that the interests of peace in the region, and particularly in the Indo-Pakistan subcontinent, and indeed the interests of the people of India and Pakistan were not served by the continuance of tension between the two countries. It is against this background that Jammu and Kashmir was discussed, and each of the sides put forth its respective position."

It will be noted that the United Nations Charter has figured twice in this clause. The desire for establishing peaceful relations and settling disputes through peaceful means is asserted, and the crucial phrase occurs in the penultimate sentence of this clause, which is that "the interests of the people of India and Pakistan were not served by the continuance of tension between the two countries." Hence the phrase "continuance of tension" has particular significance, as also the reference to the United Nations Charter.

The concluding sentence in this clause says that "it is against this background that the Jammu and Kashmir dispute was discussed, and

each of the sides set forth its respective position." When a dispute is considered or a problem is discussed, and each side sets forth its respective position, the inference is clear: that they were unable to come to an agreement. When they disagree, a dispute remains unresolved, it has to be studied in the light of the U. N. Charter. Also the impact of the preceding sentence, which talks of "continuance of tension" should be kept in view, as the word "continuance" recalls paragraph 1 of Article 33 of the Charter, which says that "The parties to any dispute, the *continuance* of which is likely to endanger the maintenance of international peace . . ."

Clause 1 talks of "continuance of tension" between India and Pakistan. The two sides acknowledged the existence of a continuing state of tension. They reiterated their respective positions in the background of the imperative need to remove that state of tension. And they agreed to refer to the provisions and procedure envisaged in the United Nations Charter to deal with the problem. Now, what are those provisions and procedures?

The U.N. Charter, in Article II, paragraph 3, provides that:

> "All members shall settle their international disputes by peaceful means in such a manner that international peace, security and justice are not endangered."

This is a mandatory clause, and the paragraph in the U.N. Charter which follows, *i.e.*, Article II, paragraph 4, tends to qualify this by saying:

> "All members shall refrain, in their international relations, from threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purpose of the United Nations Charter."

This paragraph clearly requires member-states to refrain from threat or use of force (the word 'refrain' is to be noted) against the territorial integrity or political independence of any State. And where the territorial integrity or political independence of any state is itself a

subject-matter of dispute, obviously, the provisions of this paragraph cannot be operative.

The U.N. Charter explains the position further in Article 33 which enjoins pacific settlement of disputes, and lays down that:

> " The parties to any dispute the continuance of which is likely to endanger the maintenance of international peace and security shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration and judicial settlement, resort to regional agencies or arrangements or other peaceful means of their own choice."

The word 'continuance' in the phrase " continuance of tension ", as used in the Tashkent Declaration, has to be seen in the light of its meaning and intent in Article 33 of the U.N. Charter, which may be read again as follows :

> " The parties to any dispute (both India and Pakistan are parties to the Jammu and Kashmir dispute, which was discussed and both sides reiterated their respective positions and there was no agreement), the continuance of which is likely to endanger the maintenance of international peace and security (the interests of peace in the region and particularly in the Indo-Pakistan subcontinent and indeed the interests of the people of Pakistan, are not served by the 'continuance of tension' between the two countries), shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration and judicial settlement, resort to regional agencies or arrangements or other peaceful means of their own choice."

Article 33 of the U. N. Charter is vital to the understanding of Clause I of the Tashkent Declaration. It requires the parties to a dispute, the continuance of which is likely to endanger peace, first of all, to seek a solution by peaceful means ; peaceful means are specified as "mediation, enquiry, conciliation, arbitration, judicial settlement, resort to regional agencies or other peaceful means of their own

choice." This reference to the United Nations Charter in the Tashkent Declaration must be clearly understood to appreciate the full implications of Clause I of the Tashkent Declaration.

Discussion in Tashkent was centred round the dispute of Jammu and Kashmir; India was anxious to get an agreement "to renounce force", an agreement unburdened by any reference to the United Nations Charter.

Now, an agreement such as India wanted is one thing, while reaffirming a collective obligation under the United Nations Charter is quite another. The reason is simple. The U.N. Charter concedes to member-states the inherent right of individual or collective self-defence (Article 51). This is the basic difference between a bilateral no-war pact, and the reaffirmation of a collective obligation not to use force for the settlement of disputes under the United Nations Charter as envisaged in Clause I of the Tashkent Declaration.

Again, in the phrase "They reaffirm their obligation under the Charter not to have recourse to force . . . ", it must be noted that (*a*), the word "obligation" is used in singular and, (*b*), the word "obligation" is preceded by the word "reaffirm", which means that only an existing collective obligation is re-stated here.

The fact that we are trying, with an air of research, to pick up tangible threads in the fabric of Tashkent Declaration shows how difficult it is to win the battle of interpretation when the party we encounter finds and uses its own meaning of meaning of words! It is not enough to dismiss this Indian version of King's English as a profitless literary gamble; their exercise and our experience has demolished the popular presumption that they too have the intention to come to terms with Pakistan and treat Kashmir as a dispute worthy of solution. But they are so determined to keep Kashmir that they always prefer to discuss the symptoms in detail without even referring to the disease. When a gang has

succeeded in holding up a train, its members never wait to hear a commentary from any class of passengers!

Even after they have made up their mind on an issue, some people are amenable to reason, argument and appeal; but Indian bargainers initiate with the fanfare of a fresh approach and depart after affixing adhesive stamps on the scroll of their chronic intransigence. Once they have repudiated an agreement, they demand new premises for discussion in order to legitimize their violation of the first settlement. Thus, they always came as negotiators but became wreckers of every conference held in the past to resolve inter-state disputes and differences. For India, the only way she can get out of her commitments is to raise absurd objections, put impossible interpretations on clear provisions, initiate a legalistic and dialectical debate on the technical meaning of words, tear one sentence from its context and then invite everybody to partake of this unending game of verbal acrobatics.

Oh, What a tangled web we weave
When first we practise to deceive

Argument of Force

Now that India and Pakistan seem no longer anchored to Tashkent accord and Mr. Kosygin has given no definite indication of pursuing his mediatory and conciliatory mission, who will offer to defuse the new explosive passions on both sides? It is an ominous equation between uncertainty and priority but, in Pakistan's view, India's massive military buildup has aggravated the situation beyond endurance. India has been piling

up armaments with the expectancy of an invasion any moment after her war with Pakistan. Her budgetary expenditure under the defence head has risen from 300 crores to 1015 crores. India has explored all avenues to increase her fire power and striking force; she is nervously busy in augmenting her fighting potential as if she is dreading a 'combined attack' or preparing for another aggressive war.

Having broken the Tashkent engagement, Indira turned to the 'best man' who promised to perform a political marriage of understanding between India and Pakistan. Thus, within two years, 'India has already reached a stage where Russian weapons form the backbone of her armoury'. What is sadly significant is 'that almost all the Russian weapons in the Indian hands, now, have been delivered after the Tashkent Declaration.' The list includes some of the world's latest military equipment like 127 SU-7 modern fighter-bombers, 50 MIGs-21 in finished form and nearly 200 MIGs-21 parts for assembly in India, 109 MI helicopters, 68 transport planes, five frigates and five submarines, four landing ship tanks, more than 500 long range guns, about 2000 missiles and several units of world's reputed radar known as P-30.

The Indian Defence Minister has disclosed the plan to raise, during the current year, 45 squadrons in the Indian air force supported by supersonic interceptor aircraft. As India is raising a million-men strong army with a formidable auxiliary and territorial force, she is simultaneously broadening her indigenous arms production base. The *Hindustan Times* of new Delhi has

emphasized that "the fourth largest army in the world needs equipment on a scale which, if it were to be imported, would absorb virtually all the free foreign exchange available to the economy. With over 30 ordnance factories, the country produces well over 100-crore rupees worth of stores and arms. In 1963-64 the Defence production was nearly twice that of 1962-63 (rising from Rs. 64 crores to Rs. 112 crores) and since then the Defence production in ordnance factories valued between 105 and 115 crores annually has accounted for 34 to 40 per cent of the total expenditure on stores and arms".

India's two-ocean naval expansion programme is expected to give her maritime mastery and 'add a new dimension' to her defence. With nearly 50,000 men at his command, India's navy chief has confirmed their intention 'to dominate the region after British withdrawal from the east of Suez in 1971'. Ceylon has been gravely apprehensive of Indian designs for naval occupation of the Indian ocean—with Soviet collaboration. Thus, India is spending 4000 crores during 1961—71 and, as an Indian journal forecast, her long-term defence plan of about 6000 crores will take a few more years to complete. For India's mad military planners, it is perhaps no price to acquire a sophisticated weaponry and, if possible, nuclear hardware because her people have a right to dream of hydrogen honeymoon!

Having secured from Russia offensive weapons worth 900-million dollars and collected large quantities of military stores from western sources plus armaments produced at her own ordnance and aircraft factories,

Indian leaders created a big ballyhoo when they heard about Soviet supply of a few arms to Pakistan 'to fill up gaps here and there'. Mrs. Indira Gandhi's first reaction was that the Soviet decision was 'fraught with dangers'. She not only projected its grave consequences on India's security but warned of its repercussions on their relations with the Soviet Union. Like a mocking bird, she repetitiously conjured up all the fears her father betrayed when Pakistan entered into regional defence alliance with the United States in the early fifties. She even made a bid to steal the thunder of right-wing Hindu parties in denouncing this change in Russian policy, but she stopped 'breast-beating' when she was convinced that the Soviet Union was 'unwilling to allay the Indian fear'.

This recriminatory campaign was largely prompted by objectives which have long become an operational part of Indian polity. First, it was a cover for her own gigantic military preparations ; second, it was designed to depict her nearest neighbour as an aggressive and militant nation ; third, it was directed to keep Pakistan defenceless and friendless and deny her both goodwill and arms from western countries. No wonder, as an observer tersely put it : "The Indians damned us when we got arms from America, they damned us when we got them from China and now they are damning us when we are trying to get them from the Soviet Union."

Writing in London's *Daily Telegraph*, Harold Sieve has diagnosed three weaknesses in the Indian foreign policy : "It is founded largely on illusions and wishful thinking ; it is centred almost exclusively on

Pakistan. The first can and does result in injured pride, the second in chagrin and disappointment, the third in fear or hatred. All three combined in the emotional outburst over the arms deal and what was analysed as a shift in Soviet policy." As Pakistan is the focal point of their fears and frustration, they have been only too ready to be offended at the slightest suspicion of support to her. Thanks to Pakistan, "We have in our time called British unfaithful, Americans selfish, Chinese traitorous and now Russians double-dealing," wrote Bombay's weekly *Himmat* as it recalled Indian reactions in the past. When nothing worked, Mrs. Gandhi pleaded that the 'type and quantity of weapons supplied by Soviet Union to Pakistan' should be 'strictly controlled so as not to alter balance of power in the subcontinent." If the transaction is not according to these terms, she would perhaps hasten to add that the subcontinent would be submerged in tension, cold war would haunt us all and, above all, it would make Pakistan more 'intransigent and fearsome'.

India's daily *Quaid* posed the pertinent question "whether India, in spite of an army five times bigger than Pakistan's, would not be able to face Pakistan if a few more arms were handed over to it by the Soviet Union." India's military advantage over Pakistan is hardly a debatable proposition; Pakistan's armed forces and defence budget are general knowledge. Pakistan neither hopes nor aspires to equal India in this rearming race. If Indian rulers seriously believe that the balance of power in the subcontinent will be upset by Soviet—or even Chinese—arms supply to Pakistan, they almost concede

that Pakistan's military capability will be equal to India's even if her armed strength is one-fifth of India. If this is India's combat capacity vis-a-vis Pakistan, how can she face up to the Chinese challenge? Here is a point to ponder for both the Anglo-Americans and Russians who are arming India to the teeth—to enable her to contain Chinese communism! India is being groomed not only as an alternative super power on China's periphery but as leader of an Asian regional grouping. But, if the 'yellow peril' spreads, can she hope to fight and defeat China? India would perhaps like to lead an anti-Chinese coalition in Asia but she may never be tempted to attack her big Himalayan neighbour. Thus, if there is an arms imbalance in the subcontinent, it is to India's advantage because her military buildup is bound to burst on countries like Pakistan. The inescapable conclusion is that India's newly-acquired accession of strength is a threat to peace and stability in Asia.

India's bolstered-up confrontation with China has lately assumed, for the west, another disturbing aspect. There is a trend of opinion in India which supports an early rapprochement with Peking. A contributor to *Times of India* said: "It is in India's national interest to normalise relations with China. New Delhi must be on the look-out and seize the first possible opportunity to begin a dialogue with Peking." But, what is more significant is the fact that the urge to open a dialogue with China was born after the shift in Soviet policy became known and was found repugnant to India. It is yet another brand of blackmail; if India decides to play this master card, she not only hopes to weaken

Pakistan's links with China but expects more economic assistance and military aid from the United States and Soviet Union. They cannot possibly like Mrs. Gandhi 'to make it up with China' because both still regard India as 'their principal client on the subcontinent and dislike creating an unfriendly climate here.'

Superpower Strategy

There is another striking parallelism between the Russian and American position on arms to Pakistan— 'both are distressed that Rawalpindi relies on China for arms and both would like to wean Pakistan away from this dependence'. But, the position is not so paradoxical for Pakistan as China "is the only power which will side with Pakistan in her dispute with India. This Britain and America can never be trusted to do. Whether the Soviet Union can be trusted is highly doubtful, but at least Moscow may possibly be turned from a pro-Indian stance to an attitude of impartiality." At least India is no longer encouraged to rely on Soviet veto in her favour when the Security Council takes up the Kashmir dispute again.

Indian intransigence can always be taken for granted but what is more pitiable is that the simple issue of self-determination for the people of Kashmir was 'thrust onto the scene of world politics.' During the days of Dulles and Khrushchev, Kashmir became a casualty of cold war as Pakistan was aligned with the west and Nehru was vainly proud of his non-bloc status. Today, the old cold war contestants have become understanding partners to promote containment of China; Pakistan is successfully practising bilateral

equation with major powers; and India has pretentiously embraced the west. Today, the supersonic bang of two superpowers is matched against the echo of Chinese atomic blast. Is there any reason now to dread the cold war or a hot nuclear war? In any case, global bipolarity has yielded place to a new polycentrism, with the United States, Soviet Union and Red China competing to win friends and work out their own spheres of influence.

The impact of world politics on the determination of Kashmir question and India's consistent exploitation of major powers' differences is a uniquely tragic chapter in the history of world's freedom movements based on the principle of self-determination. Nehru made political capital out of the situation which he thought had changed after Pakistan became a recipient of American military aid. He roared that cold war had been brought to India's door and India was no longer bound to honour her commitment. Nehru said, "It goes against the grain to indulge in an armaments race but we can no longer ignore the rate at which the latest and deadliest weapons are pouring into Pakistan". He tried to justify his opposition to military pacts because he was prompted by "an honest desire to keep his country in isolation in the war of ideologies, indeed to keep as large an area in the world free from the fever of the war mentality". He protested against this unwarranted penetration into India's cherished 'area of peace' as India was pursuing a policy of non-alignment. What is the meaning and mechanics of neutrality or neutralism? When Nehru, Nasser and NKrumah made a debut on the stage, they manoeuvred to be accepted as apostles of non-alignment

or non-involvement in a world torn by power politics of big nations. Many believed that the smaller nations are often the prime victims of superpowers' bid for supremacy. Joma Kenyatta, the Kenyan President, illustrated this phenomenon by recalling a popular African adage : "When two elephants fight, it is the grass that suffers ; and when east and west are struggling in Africa, it is Africa that suffers". These nations were following a policy under the banner of neutrality because, according to them, bloc politics exacerbate international disputes and rivalries and lead to senseless confrontations and arms race. Thus, they adopted a posture of impartiality and detachment and professed to represent the 'unbiased conscience of mankind'.

But the creed was based more on expediency than any high moral principles ; firstly, it was a momentary mirror of existing power patterns and was a product of bipolarity; non-alignment ceased to have any meaning when antagonism between superpowers began to evaporate. Secondly, they were in fact wearing the mantle of neutralism under the cloak of nationalism. They always condemned military aid 'when an adversary or rival power was the beneficiary'. An American official once said : "They may all vote together for the big generalities of peace and disarmament but when it comes to dividing up aid, they are at each other's throats." Thus, it was a stratagem, not a system; it was a policy and not a philosophy; it was an instrument and not an ideal. Nehru often tried to enwrap his declaratory statements in romantic terms and even presented an idealized version of the wickedest things India has done

in Kashmir. Describing his political behaviour, Mr. Ernest W. Lefever, an American foreign policy analyst says that "his emphasis on method rather than on substance in confronting cold war conflicts tends to be reversed when he deals with issues of vital concern to India, such as his disputes with Pakistan over Kashmir and with Portugal over Goa. Here he focuses on substance, on conflicting demands; and ironically, the great powers have emphasized method—negotiation, plebiscite and mediation."

But neutralist states doubtless reaped a bumper harvest from their balancing posture; the practice of non-alignment had its bargaining potential though it proved to be a debunked theory and failed to stand the test of time. India's Foreign Minister said the other day, "non-alignment has earned India rich dividends in the past and secured her the support of opposing military blocs represented by United States and Soviet Russia." The story is related of a "clever rabbit that, desiring to become king of the beasts, challenges the larger animals to a contest to establish his supremacy. He proposes a tug-of-war, but makes the rope so long that the contestant cannot see his opponent on the other end. The wily rabbit pits one large beast against another and then claims the victory over the loser. He repeats this until he eventually proclaims himself king of the beasts." For small 'rabbits' of new emerging states, whether they are most committed or firmly uncommitted, it is difficult to defeat the 'big beasts'. Neutralist rulers like Nehru enormously benefited from the two power blocs but they could never hope to influence their global policy

objectives. It has been more an ambition than an achievement. As a spokesman of the 'third force', Nehru made offers to mediate between the cold war contenders but the superpowers' response was always determined by their own national considerations. Nehru could never effectively play this world role because he was leader of a big country aspiring to become a big power. But the positive gain was his success in making the United States and Soviet Union compete for giving more and more economic aid to India, apart from miscellaneous loans and gifts and grants. After the agreement to supply American arms to Pakistan, Nehru suddenly discovered that "India and Russia are brothers". At that time, an influential section of the American public opinion had begun to believe that one of the primary objectives of the United States Asian policy should be to court the "uncommitted world." As India was considered neutral, she became the most deserving country for massive aid; as she was understood to be Asia's largest democratic nation, she was entitled to more generous help!

Since the end of 1959, American aid to India totalled 3-billion dollars; it was at least three times more than received by Pakistan during this period. It "helped India develop heavy industry essential to the manufacture of modern weapons and released a substantial portion of domestic resources for national defence." Thus, the essence of Nehru's neutrality was found to have more empirical than doctrinaire basis. Nehru would gladly accept Soviet aid and yet he saw no harm in getting American aid in large quantities, subject only

to the availability of shipping space. Mr. Nehru's neutrality was a misnomer; at best, it was a balancing exercise between two opposite poles of power.

Nature of Neutrality

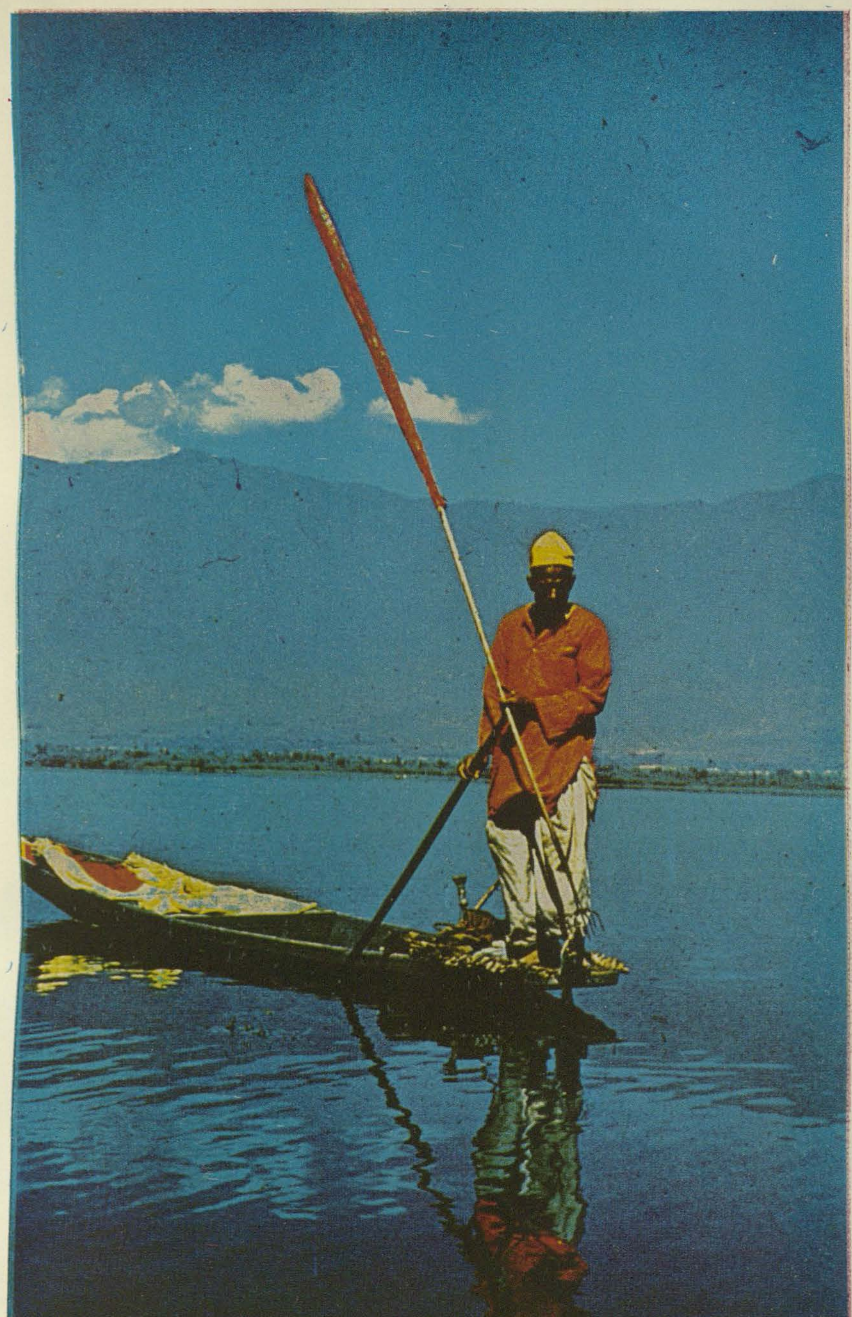
One of Nehru's reasons for not agreeing to a plebiscite in Kashmir was that Pakistan's acceptance of U.S. military aid had become a threat to non-aligned India but, today, as *Christian Science Monitor* observed: "The wheel has turned full circle and it is India herself which appears to be canvassing for a joint U.S.-Formosa-India military and intelligence liaison." The fruit of non-alignment is not so delectable today, because not only the nature of neutrality has changed but even its conceptual basis is being determined by the exigencies of new power patterns. The spirit of Bandung and Belgrade has vanished; the bi-continental Afro-Asian unity is a dream and the bubble of Panchsheel has been pricked. For the old non-aligned group of nations, neutrality has forsaken its garment, but perhaps retains its circean glamour to tempt the two power blocs and secure maximum aid. Is there not a growing resentment in India that Mrs. Indira Gandhi has surrendered to dollar diplomacy? Similarly the Americans feel that Soviet Russia has a powerful leverage on U.A.R. economy and Nasser is not competent to receive aid from the United States. But the Indians still cling to the myth of non-alignment which "ought to have been exploded by clash with China and the West's support for India." In fact, India's new policy is demonstrative of a conduct about which Nehru must have the last word. On 2 March, 1959, Nehru said: "If you

object to military aid being given to Pakistan, we would be hypocrites and unprincipled opportunists to accept aid ourselves." How and why, after three years, Nehru reversed his stand and begged for military aid is no longer a mystery; in fact it was this self-condemnation which helped India to win the heart of Pakistan's western allies.

The Indian Defence Minister, Mr. Krishna Menon once said: "If you want American aid, do not beg them, kick them". During the conflict with China, Mr. Nehru humbly appealed to President Kennedy for sixteen fighter squadrons, 'presumably manned by Americans'. Thus, Nehru's claim to neutralism was proven false and many felt that Indian politicians provoked the Chinese in order to obtain arms 'without admitting the errors of their past policies.' First, it was a situation which could be controlled on the diplomatic level; then it became a crisis and matter of concern; it soon developed into a border clash; and, finally, they imagined themselves on the brink of an all-out war! The objective was to drive a wedge in our relations with the United States; the result was an arms race and a war with Pakistan. Stories of an impending Chinese invasion of India could not be accepted even at a discount, but Pakistan could not take all the wind out of the Indian sail because it was a case of mutual wooing; for Nehru it was an opportune time to strike a new balance of power; for the western donors it was the last chance to bring India within the ambit of their global strategy for if 'India is lost, Asia is lost'. The encounter with China dimmed India's image as a strong

Asian country but, for the West, it was productive of new hopes to contain Chinese communism. The so-called Sino-Soviet ideological conflict may be another variant of power politics; for the Russian leaders, India's border war with China was considered a ripe moment to build up India as an alternate Asian power. As one of the two colossuses in Asia backed by the two major powers of the world, India had now no need to be a balancer as she could afford to be an exploiter. The propaganda about China-Pakistan collusion has added to India's creditworthiness in western eyes. It suits Mrs. Gandhi to appear to be reduced to a position when she has no political choice—India must be helped to acquire enough strength to fight both China and Pakistan as they are both 'proven aggressors' and 'potential enemies'!

The Americans have equated China with their 'Asian frustrations' and the Soviets have equated India with the highest potential to curb China's international influence. With the end of atomic preponderance and the emergence of China as a nuclear power, the cold war between the United States and Soviet Russia has lost much of its chilliness. The Americans believe that Soviets are becoming more 'sophisticated' and 'the steam has gone out of their world revolution'. The Russians believe that Americans have ceased to be 'messianic' and are showing a new co-existential urge. Thus, the context and climate of superpower relationship has changed, but China still remains the common factor and the 'yellow peril' an ubiquitous issue. During the Indo-Pakistan war, the American and Soviet members of the



POVERTY AND PELF: Standing precariously on the edge of his boat, this lonely Muslim looks at the distorted image of his reflection below as he fishes in troubled waterways near Srinagar.



A pretty—and lucky—Kashmiri girl: she crossed into Azad Kashmir before Indian soldiers could clutch at her.

Security Council showed a degree of unanimity which was as rare as it was suspicious. They were so 'like-minded' that they almost acted as allies both inside and outside the United Nations. What is more, the understanding they had reached in September 1965 has been extended to cover post-war exigencies. Kremlin's offer of 'good offices' was more than approved by the American policy-makers; the Tashkent Declaration was welcomed by the American press and people. The agreement was generally applauded as an act of peace but, perhaps, particularly, as a diplomatic success for China's two great opponents—the United States and Soviet Union. Thus, the Pakistan-India-China triangle again came to the surface; as Pakistan's policy of bilateral relationship was not a mere catchword, the United States and Soviet Union had to lean heavily on India and make her stand against China. As Mr. Salisbury says: "The reality of India's present day 'neutrality' is that she is compelled to rely on America and the Soviet Union for arms aid in the event of a major conflict with China." Is India pressurizing both as she might 'widen its options by seeking an opening towards China'? As both are anxious to avert this eventuality, they are briskly arming and aiding India on a maximal scale; but they forget that it is her mounting military strength which has encouraged her rulers to write off the Tashkent agreement and declare that the pivotal dispute of Kashmir is not even negotiable. A former President of India did not mince matters when he said, "India will be able to settle the problem only by having strength with which to back her bargaining power."

Hailing this temporary accord, *Pravda* wrote : 'It opens a new chapter in Indo-Pakistan relations; the signing of the declaration is a success for the peace-loving peoples of India, Pakistan and the Soviet Union who make up almost a quarter of the world population'. But, peace at what price? India may interpret the Tashkent agreement as a 'No-Force' or 'No-War' declaration, but how can Kashmir 'be closed to future violence' as long as the dispute is not finally and fairly settled? The Kashmiri people's convention held recently in Srinagar was a 'verdict on India' and a vote against the propped-up regime operated from New Delhi. All knowledgeable foreign observers have warned that if Sheikh Abdullah is 'forced into an outright anti-Indian posture', and he is sent back to prison, "the consequences in the valley could be disastrous and the temptation for Pakistan intervention almost irresistible." If the last war was triggered by the deteriorating situation in Kashmir, have we not to find a solution before the second explosion? If Tashkent Declaration is foredoomed, does it portend another uprising in Kashmir and another war with Pakistan?

CHAPTER 7

**"Your face doth testify
what you be inwardly"**

Three Faces of Kashmir

THREE FACES OF KASHMIR

With the people in bondage, the puppet in service and the predator in occupation, Kashmir presents today three faces to the world. India has lost face in the eyes of the world and no face-lifting ointment can refurbish the image Gandhi and Nehru had created during the independence movement. The world has been tempted to twin Gandhi with Nehru as the epitome of India. For the Hindus and outsiders, they came to represent, collectively, the spirit of Mother India. A few years ago, the *Daily Mirror* of London lamented that "if Gandhi were alive today, he would say that Mr. Nehru had made a blunder in annexing most of Kashmir". It is giving Gandhi liberal benefit of doubt because he played a leading role in the usurpation of Kashmir by India.

Gandhi was undoubtedly great but only as a Hindu leader. The case of Kashmir stands out in bold relief in the political obituary of India's assassinated beloved. The cause of Kashmiri people has generally received sincere support and sympathy but few foreigners have laboured to assess Gandhi's contribution to the tragedy of Kashmir. Gandhi's part in this sordid drama has never been properly factored into the situation and circumstances which made Kashmir an easy prey to India. Gandhi's experiments with truth led him to the conclusion that Kashmir could only prosper under India's

canopy. It was Gandhi who first employed his Mahatmic magic and made the Maharaja ripe for accession to India. It was Gandhi who continued to tender his unofficial advice to the Government of India and regularly wrote to Mountbatten on the strength of secret sessions he had with the Maharaja. It was Gandhi who, on Nehru's admission, gave his blessing 'to the steps we took in Kashmir'. It was Gandhi who was most angered at the tribesmen's entry into Kashmir and threatened to have a war declared on Pakistan. It was Gandhi who dissuaded Mountbatten from going to the United Nations because he envisioned the possibility of a plebiscite India was sure to lose.

The end of the second world war heralded the end of imperialist sway of the old colonial powers: Asia and Africa were awakened by a new awareness of their place under the sun; freedom movements were on the march; and the principle of self-determination was enshrined in the United Nations charter. The world initially accepted Nehru at his face value as a gallant champion of independence who held the longest tenure of office as democratic Prime Minister of a new and a big emergent state. But Nehru's stand on Kashmir was ridiculed, exposed and censured in the strongest terms by reputed organs of public opinion throughout the world. In fact, the commentators made Nehru the principal target of attack; perhaps, in our life time, such opprobrious expressions have not been used even for wielders of power in fascist and tyrannical governments. Nehru was called 'a fraud', 'a thug', 'a hypocrite', 'a Brutus', 'a cheat', 'a pharisee', 'a Machiavelli', 'a cynic',

'an opportunist', 'an imperialist', 'a colonialist', 'a liar', 'a blackmailer', 'a wrong-doer', 'a robber', 'a defaulter', 'an offender', 'an aggressor', 'a sinner', 'a bluffer', 'a pretender', 'an impostor', 'a grabber', etc. etc.

Nehru got himself stung with nettles and his angry reactions provoked more bitter and biting retorts from the growing number of his critics. Here are a few brief excerpts from editorials which have appeared from time to time in leading western journals: 'His obvious inconsistency is another instance of Indian dishonesty'; 'he has always succeeded in doping the world with his own self-righteous pretensions'; 'Nehru, who criticizes others for warmongering, acts to encourage war in his own backyard'; 'unless he dissociates himself from this outburst, he cannot blame the world if it brands him as a fraud'; 'Mr. Nehru has exposed himself as number one impostor of the international scene'; 'the exalted arbiter of international behaviour becomes a thug'; 'now the prophet of international morality has turned into a pharisee'; 'he is not only a sinner but a stubbornly unrepentant sinner'; 'what should be done about wrongdoer Nehru of India'; 'one can only look upon the great Nehru as a hypocrite who played towards the U.N. the role of Brutus'; 'Nehru, the anti-colonialist, has become Nehru, the imperialist'; 'a sort of dressed-up monkey who still dare pretend that he does not grimace'; 'Nehru has been unmasked as a vulgar imperialist in Kashmir'; 'he barters away the dove of peace for the vulture of death'; 'Nehru is a power politician and a politician of violence—he too, is a colonialist'; 'not since the days of Hitler has there been such a

shocking breach of international morality as Mr. Nehru's'; 'the great internationalist has shown himself as stubbornly nationalist as the worst of them'; 'see now Mr. Nehru, who parades his pure lily-white idealism all over the place, has reached out and grabbed Kashmir'.

In spite of this worldwide condemnation, Nehru did not stop wondering why "the foreign press and everyone else were moralizing to India, but had not said a word about Pakistan's 'aggression' in Kashmir." The answer is very simple. This disciple of Gandhi, this demi-god of 500 millions, this prince among Indian politicians, this moralist, internationalist and philosopher, this protector of the weak and friend of the aggrieved, this self-appointed keeper of world conscience, universal adviser, dispenser of justice, enemy of war, apostle of peace, arbiter of disputes, mediator, solicitor and ubiquitous do-gooder, this preacher of self-determination and freedom-fighter who wept for enslaved peoples of the world had kept in captivity 4,000,000 Kashmiris. They say that 'an ugly face should not curse the mirror'.

Nehru had the audacity to emphasize the 'human aspect' of Kashmir when, years ago, he said that, "If the people wish to part company from us, they can go their way and we shall go our way. We want no forced marriages, no forced unions like this." Then, why was he clinging to Kashmir and holding the people against their declared will 'to part company'? The world told Nehru to his face that there was a discrepancy between his democratic professions and authoritarian practices. How did he reconcile himself to a 'decline in the repu-

tation of India' and refuse to give up Kashmir in defiance of world opinion? Could he not see that Kashmir was 'a big black blot' on his spotlessly white khaddar shirt? Then, is he not one of those, who 'preach water and drink wine'? There is a well-known story of a shepherd who went to a judge and said: "while crossing the bridge an ox pushed another ox into the river. The ox which fell, got drowned. What should be done?" The judge promptly replied: "They just pushed against one another and one of them fell down. So there is nothing to be done." "But it was your ox that got drowned." At that the judge took the book near him and said: "Oh! then it is a different matter." Then the shepherd said: "Because it is your ox, it becomes a different matter." This is precisely what Nehru had been saying and doing. Presidents and Prime Ministers of friendly countries, prominent statesmen and public men appealed to him but he refused to budge an inch on Kashmir. Distinguished philosophers and historians like Bertrand Russell and Arnold Toynbee proposed plebiscite as the only way but Nehru refused to see or hear anything which even questioned the 'accomplished fact' of Kashmir's accession to India.

When India referred the Kashmir dispute to the United Nations, a newspaper columnist thought that 'Nehru has got his tail in a crack' and it is going to be 'interesting to see how Nehru squirms out of this one'. Nehru just dropped the curtain, decided to eat his words and swallow his solemn commitments and moral obligations. Whenever the Kashmir issue is discussed by the

Security Council, Indian representatives try 'to roll up the entire case and give it a new twist', Nehru is no more; for his successors Kashmir is not only a part of India but can 'legitimately claim to be a symbol of India'. Was it not a case of intellectual perversion for Mr. P. B. Gahendragadkar, former Chief Justice of India, to declare that "the debate as to what was to happen to Kashmir in future must be brought to an absolute end. India's position in regard to the status of Kashmir as an inseparable part of India must never be the subject of debate". According to him, 'a plebiscite . . . in constitutional terms is illegitimate and untenable' and, what is more, it cannot be held now because 'the time has passed'. It is a fantastic way of looking at things because a people's urge for freedom cannot be brushed aside by the so-called constitutional law, technical arguments or legalistic reasoning. A plebiscite can never become impossible of realisation with the passage of time or change of circumstances. Can there ever be a juridical justification for the enslavement of a people?

The Puppets

A puppet is a pitiable wretch; he has to give up his individuality, act like an obsequious person and function as an appendant. He has to dance attendance all the time and carry out the behests of his masters. As he exercises derivative powers, he has to behave servilely in order to survive. He has to know the art of fawning; he must always appear to be a most obedient servant and he should not mind even if he has to act clownishly to please his patrons. As a puppet is pri-

marily commissioned to manage the affairs on behalf of his employers, he has to show results because, in his case, nothing fails like failure. His cringing and tail-wagging will not carry him very far if he does not succeed and operate to the entire satisfaction of his protectors. Since it is a precarious existence, he has to make hay while the sun shines. Thus, the very nature of his assignment demands that he should develop a cliquish mentality and never desist from adopting dubious methods because, for him, the end should always sanctify the means. He has to wangle things and practise deception. As he is all the time wriggling out of situations created by his more docile rivals, he has to subsist on corruption and depend on intrigues. What is important is the reward and not reputation; and it can be hazardous to stand by moral principles because he may not only be deposed and disgraced but punished for demonstrating any scruples. He must remember that he has no soul but only his skin to save; it is not unoften that puppets become scape-goats at the hands of executing authorities. In brief, he has to be subtle, shrewd and slippery; he has to be a rank opportunist and first-class manipulator. A puppet-ruler fears his subjects most but he has to feign that he loves them. It is always his master's voice but, to the people, he must never appear to be a ventriloquist. He struts about in the corridors of power like a popular figure, but he seldom feels humiliated in his own heart as he has carved out his convictions out of necessity. He shines among his public colleagues but he is all the time running away from the light of his own countenance. He moves around like a national leader, with a feather in his cap,

but does not encourage anybody to detect his borrowed plumes.

The puppets in Srinagar are agents working for their principals in New Delhi. They have appeared in kaleidoscopic succession and exposed their faces to the public gaze. They are controlled by live wire pullers who periodically change the actors but the same puppet play continues on the same stage. When favourites fall from the grace, new stooges are found; sometime they run out of puppets who can follow their lead and yet squarely face their own people. But, ultimately, those who are obedient remain in saddle; and those who deviate are dethroned. Abdullah's dissent alarmed India as he was suspected to be opposed to India's way of thinking about Kashmir; he was immediately identified as a subversive and his persecution was calculated 'to intimidate the less courageous'. He suffered this fate at the hands of a government headed by Nehru who was proud of calling Abdullah 'a brave man' and 'a great leader'. Addressing the Parliament on 7 August, 1952, Nehru defended Abdullah: "If he has failings and if he has made a mistake here and there, if he has delivered a speech which we do not like, what of that"? Abdullah's 'mistake' was that he criticized the India-backed Paraja Parishad campaign against him and characterized their attitude as 'unrealistic, childish and savouring of lunancy'. As he was beginning to rely less and less on Indian promises, he put a bold face, gave a dogged fight to Paraja Parishad but lost the battle. His downfall was delayed by a few months but little did he realise that he was going to be dismissed as Prime Minister and

put in prison. During the 'Quit Kashmir' movement in 1946, Nehru abruptly left the conference with the Cabinet Mission and hastened to Kashmir to get his 'valued colleague' out of jail. In 1953, he forgot his friend because he no longer needed him. Kashmir's accession to India was 5-year old and in the appeal filed to the Security Council, Sheikh Abdullah's name was repeatedly 'invoked in moral justification of India's action in Kashmir'. There is an oriental saying that 'in an emergency, one should not mind adopting an ass as a father'. Nehru's treatment of Abdullah was reminiscent of the treatment meted out to him by the Maharaja of Kashmir. Nehru's entry in Kashmir was banned by the Maharaja and he was threatened with arrest 'if he dared to set foot inside the state. Yet, Nehru sent messages to the Maharaja advising him 'not to decide too precipitately what he should do'. The accession assured, he had no use for the two key-men, the Maharaja and Abdullah. Nehru proved that, for him, as for those whom he often held guilty, 'morality is nothing more than an expression of expediency'. Abdullah was very much impressed by the 'socialist and secular aspirations' of the Congress Party and was deeply touched by the new political tides running in India during the late twenties. What is more, Nehru became his personal friend and Abdullah did not doubt his democratic credentials. As Nehru put a new face, Abdullah began to drift away from India and hesitated 'to fall in line with other princely states and merge with India'. Abdullah's major miscalculation was that, after insisting on 'freedom before accession', he agreed to 'accession before freedom' without realising that there could be no

freedom after the Maharaja's accession to India.

Abdullah had warned India "not to be deceived by Bakhshi Ghulam Mohammad and his other supporters in pursuing a policy which, in the end, is bound to prove disastrous for all". Bakhshi, in turn, had the face to accuse Abdullah of 'treasonable conduct' as he was conspiring and corresponding with foreign powers and seeking their support to overthrow the 'democratic government' of Kashmir. Even when he was Deputy Prime Minister under Abdullah, he was maintaining a secret liaison with the Union Government and frequently visited New Delhi to pay obeisance to the ruling high-caste Hindu Pandits of India. Thus, his first act as a lackey was to stab his leader in the back and put Abdullah into prison. His second act was to betray his own people and resort to overt terror and tyranny. Sheikh Abdullah had to describe his government as one of 'goondas, opportunists and thieves'. His third act was to take the 'final step' of Kashmir's integration with India and implement the Delhi agreement of July 1952. His fourth act was to serve his own self, amass wealth and misuse his powers of patronage to enrich his friends, kinsmen and political underlings. The charges of corruption and his scandalous business deals were so widely held that even an objective foreign observer like Korbel was constrained to report: "His brother is a wealthy military contractor and other relatives occupy important positions in the economic life of Kashmir. Bakhshi found it profitable to be in charge of state supplies, public works and transport. A popular wit has given to his wide interests and associations a name—the Bakhshi Brothers Corporation. Paradoxically, he

prided himself on having once whipped a black marketeer on the streets of Srinagar. His ambition has been power—if possible with comfort. The increasing rift between India and his superior, Sheikh Abdullah, offered Bakhshi the opportunity to realize more of both than he had previously enjoyed".

Bakhshi had a shady past and his conduct had never been above board. Born of a Muslim family in 1907, he embraced christianity in his school days but, after a few years, he re-entered the fold of Islam. He was always a suspect and a typical agent provocateur in the eyes of the people. The anti-Bakhshi coterie even alleged that he organized disturbances to extort, in the name of security, more money from India. The Kashmiri Muslims openly implicated him in the Hazratbal episode and an outraged mob set fire to the cinemas and landed property owned by him, his favourites and family members. But, in spite of all his arbitrary acts and evil doings, he was most acceptable because he acquiesced in everything his Indian overlords bade him to do. Bakhshi had all the traits of a quisling; his abject submission to New Delhi dictates was the classic example of toadism. He adroitly exploited the simmering situation in Kashmir but, conscious of his shaky position, he had no option and had to rely on India.

As the future of Kashmir was far from predictable, Bakhshi periodically set his sails according to the direction of the wind. It was a compromising but, equally, an embarrassing posture; during the debates in the Security Council and Indo-Pakistan conferences, Bakhshi's political somersaults provoked ridicule, contempt and

indignation. Assured of his Prime Ministership, he declared that Kashmir was an integral part of India and "no power on earth can separate the two countries." After a few years, he pleaded for the adoption of the Dixon plan 'with independence for the plebiscite area,' because it was the 'only practicable, advantageous and honourable solution of the dispute.' Sensing Indian reactions to the plan, he declared that no plebiscite could be held in the State 'till eternity'. Again, when 'there appeared to be good prospects of Pakistan-India rapprochement,' Bakhshi welcomed the move and said that he will 'abide by any decision taken by them.' But, again taking a cue from New Delhi, Bakhshi said that the plebiscite administrator would never be appointed and that Kashmir's accession to India was ratified by the constituent assembly. Having read the joint communique issued by the governments of India and Pakistan, Bakhshi said that it had his 'unqualified support.' He further stated that 'now that we have succeeded in securing the right of self-determination, we can hopefully look forward to more peaceful times'. As puppets are never expected to issue categorical statements, Bakhshi had to repeat his 'conviction that Kashmir had irrevocably acceded to India and today we are only fulfilling the formalities of our unbreakable bonds with India'. It was perhaps for a man like Bakhshi that a Polish philosopher said, 'he who has no conscience make up for it by lacking it'.

At last the Nemesis. After ten years of tyrannical rule, Bakhshi's term had to be terminated not because his loyalty was in question but the puppet show needed

a new scenario and stars. Bakhshi had been in power a little too long ; it was time for change ; India hoped that the new incumbent might infuse a new spirit and make explosions a less regular feature of life in Kashmir. No one dared to doubt Bakhshi's corrupt practices but the explanation given out was incredibly puerile. India had never been ready for a just settlement of the Kashmir dispute and yet Bakhshi was out because he was rumoured to be standing in the way of 'Indo-Pakistan amity and goodwill'.

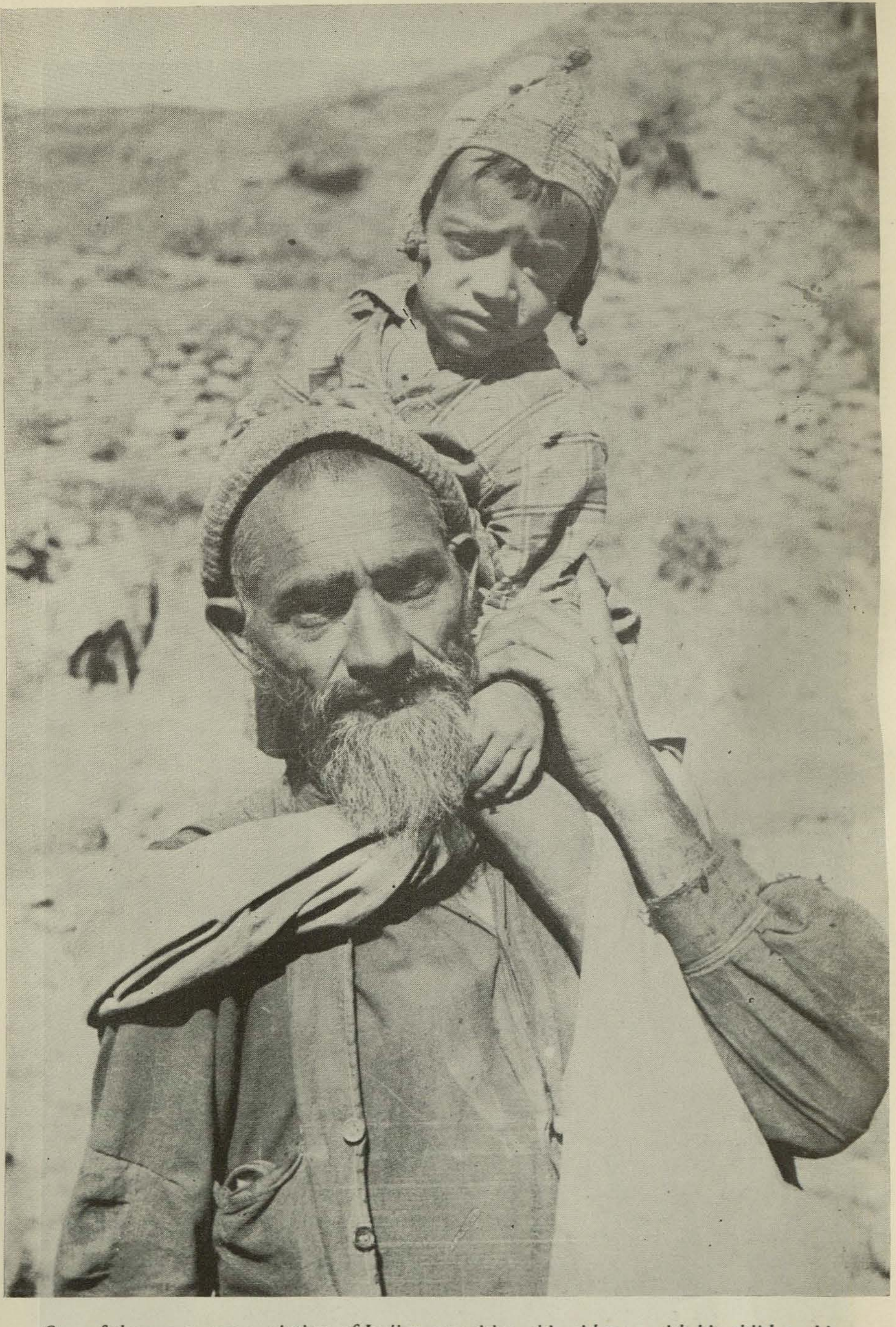
Those in the business of puppetry have more creditors than clients ; as the old ones had failed to fulfil their obligations, India had to search out better stooges who could submit a properly-audited balance sheet of profit and loss account. Bakhshi was replaced by Shamsuddin who was soon discovered to be ineffective as a tool in the devil's workshop. As the *Daily Express* wrote on 10 January, 1964, "The people's mood was alarmingly threatening. Shamsuddin cabinet was reduced to utter helplessness and the administration was completely paralysed." He was summarily dropped not because of any complicity in the theft of the holy relic but as he proved powerless to control the commotion that followed the Hazratbal crime and let the agitation become a political movement against India. There was almost a parallel administration in Srinagar. "If Kashmir remains with India against the will of the people," warned Pandit Prem Nath Bazaz years ago, "it will always find itself in political turmoil. One puppet will succeed another but no Government will be stable".

Thus, a more dutiful and dependable 'son of the soil' was earmarked; Ghulam Mohammad Sadiq, an old associate of Abdullah, was declared Chief Minister of Kashmir. It was hoped that he would be less unacceptable to the Kashmiri public opinion as he was made to promise to the people 'not only to rectify the wrongs done by Bakhshi but also to restore freedom of expression, press and platform'. But, according to his adversaries, 'he surpassed his predecessors' in election malpractices, political bribes and accumulation of wealth. It is alleged that he squandered away more money than the 'total amount drawn during the rule of Abdullah and Bakhshi put together.' He is even being charged with 'embezzlement of public funds' and challenged to recover arrears from forest lessees amounting to Rs. 10 crores which had been lent to Sadiq's men. All these indictments mean nothing because they are all playing the same game ; the puppets in power must have their own stooges ; it is a hierarchy of henchmen harnessed to promote the purposes of alien rulers.

Sadiq is still in the saddle because he still enjoys the protection, if not the confidence, of Indira's Government. He refused to attend the recent Abdullah-sponsored convention in Srinagar because he could not look his own people in the face. Not unlike his old colleagues, he may fail any moment but he has lesser chances of demotion if he is not tired of repeating that Kashmir's safety lies in the status quo. It is worth recalling what Sadiq gave in writing in May, 1953, "I would suggest that we should immediately ask for an overall plebiscite as an honourable and peaceful solution



KASHMIRI CRAFTSMANSHIP: As his hookah makes bubbling noise, a Muslim merchant in Srinagar wonders when his shop will be looted and burnt.



One of the many, many victims of Indian atrocities, this old man with his child on his shoulders, is a refugee from village Uchad, Tehsil Mendhar, in India-held Poonch: his wife was killed by Indian soldiers when his house was attacked and burnt during the September war.

of the Kashmir dispute between India and Pakistan. Failing this, we may ask for a supervisory commission representing all the members of the Security Council for ensuring a free and fair plebiscite in the State."

May the man be damned and never grow fat
Who wears two faces under one hat

The People

The last is the beautiful but bruised face of the Kashmiri Muslim. It is the face of a victim and captive; it is the face of an enslaved and betrayed people. The ruling Dogra house had kept the state 'impoverished, isolated and oppressed'. The people were subjected to unspeakable hardships and it had become proverbial to talk of their penury and poverty. Their misery and misfortune is writ large on the blood-smeared pages of Kashmir's history. The Dogra ownership of Kashmir is an unexampled tragedy of human bondage. There are three ways of usurping a country : a local insurgent from the majority people raises the banner of revolt and captures power ; a desperado from the minority group overthrows the government and establishes his own rule ; a warrior leader from outside conquers the land and becomes a dictator. In the case of Dogras, Kashmir was just gifted to a man who did not belong to the land, who did not fight for its possession and who practised a religious system hostile to the dominant population in the State. There are few who cheerfully leave their own country but many emigrated from Kashmir and settled in the adjoining northern areas of India. The Kashmiri Muslims were singled out and had to face religious

persecution, economic stagnation and political coercion. The Dogras followed the advice of a tyrant who used to say: "To choose one's victims, to prepare one's plans minutely, to slake an implacable vengeance, and then to bed . . . there is nothing sweeter in the world." It will be apt to call it a policy or plan of castration; even ordinary sports like wrestling, swordmanship and archery were banned in the State. Thus, in the course of the last century, the Kashmiri developed a trait of docility which made him look like a timid person who is ever reconciled to his fate. In his encyclopaedic treatise, Sufi has portrayed the Kashmiris 'as feared warriors of an ancient day who through centuries of oppression lost these fighting qualities'. Francisco Pelsaert, who served the Dutch East India Company from 1621 to 1627 almost idealized the Kashmiris as 'a people of superior intellect, intelligent and gay, emotional, hospitable, fond of singing, good cooking, good businessmen and not drunkards, kind to their wives and children'.

The burden of taxes and the practice of extortions destroyed a characteristically Kashmiri product which was the main source of subsistance for the people and a first-class foreign exchange earner for the State Exchequer. The world has almost forgotten the dexterous fingers of the Kashmiri craftsman whose shawl had the inimitable beauty of a treasured piece of art. "This fine, silky web of wool," said Larousse, "worked with fanciful flowers, distinguished by the tints of its colours, its singular designs, those strange palms draped in shades of great varieties, those borders formed of tortuous lines crossing each other in endless devices, all combine to

inspire, at the very sight of a shawl, those who see it with a desire to possess it. Fashion adopted it, protected it, and it soon became the indispensable item of an elegant wardrobe with all those who could afford to purchase and thus aspire to be considered well-dressed. Woe to the husbands who were too poor or too stingy to afford their wives the gratification of their wishes".

This eulogy can now serve as an epitaph because the old Kashmiri shawl is extinct. The ruination of the shawl industry became obliquely symbolic of the failing fabric of life in Kashmir. An early European visitor pathetically described the riches and wretchedness in Kashmir : "It is a land on which God had showered His blessings in the making, where the earth is good and can be made to grow much food, yet many of its people are near starvation ; a land where the finest silks and the softest wools are spun and woven into cloth, yet most of its people are clad in rags ; a land where precious stones are to be found, yet few of its people possess any ; a land which writers have described as 'the Happy Valley', yet only those who visit it are happy, not those who dwell therein".

One day, the people have to demonstrate that tolerance of tyranny is not limitless. It seems that 'tyranny begins as silence ; one begins to tolerate intolerance ; then one feels guilty about the silence'. After enduring eight decades of tyranny, the Kashmiris had to prove that they are no longer guilty of the crime of silence. When life and death are separated by a thin edge, men refuse to be ruled by fear as the only alternative is to take courage in both hands. The silent volcano

of Kashmir burst in 1931 ; the people came out in thousands and challenged the Maharaja's rule. "They were mowed by the bullets of the State Dogra troops in their uprising", as Sir Zafrullah told the United Nations after seventeen years, 'but refused to turn back and received those bullets on their bared breasts'.

Sheikh Abdullah was the product of this new spirit of resurgence and resistance among the people of Kashmir. When he was Diwan of Jammu and Kashmir State, Sir Gopalaswami Ayyanger invited a group of Kashmiri leaders to an informal tea party. One of them was introduced as "Sher-i-Kashmir". With cynical looks and a broad grin on his face, the Diwan remarked, "you are the lion of Kashmir. There are only two places for a lion. One is the jungle, the other is the cage. Where would you want to be." But the jeers soon turned into cheers ; subsequent events proved that he was the Lion of Kashmir and when he roared, the valley echoed and the people followed him. Sheikh Mohammad Abdullah, the first Prime Minister of Kashmir after the partition of the subcontinent, a tried lieutenant and old political ally of Nehru, was arrested in August 1953 as he refused to be a handy tool in the hands of the Indian Government and declared that the final disposition of the State could only be decided after the issue of accession had been referred to the people who should freely express their will in a plebiscite under U.N. auspices. He has been, for many years, the virtual spearhead of the freedom movement in the valley. But the moment he questioned the legal validity and doubted the political wisdom of Kashmir's incorporation into the Indian

Union without ascertaining the wishes of the people, he was thrown out and a stooge was found and installed as Prime Minister of the State.

What is today the fate of the land and the people Abdullah loved and served all his life. When the sub-continent attained independence on the basis of self-determination, "every single citizen of the Indian empire won his freedom—with the one and only exception of the people of Kashmir. Therefore, in one way, the betrayal of 1947 was more preposterous than the betrayal of 1846; it was a slavery inflicted in an enlightened world, not at the dawn but in the dusk of imperialism". It was not the Maharaja's accession to India but India's annexation of Kashmir; after several years, a visitor from United Nations found that "centuries of hard life have taught him to be reconciled to the strange role of living in a paradise that treats him poorly, forgotten by all, helped by none. Obediently and stolidly he accepts the status of the forgotten man in an undiscovered nation. Only those who have visited Kashmir can see this cruel contrast between the nostalgic beauty and power of its scenery and the frightened dark eyes of its countless poor." Divested of legal technicalities and political debate about the future disposition of the State, the body of Kashmir appears in stark nakedness, but most of the foreign observers have viewed the portrait in silhouette—they have seen the outline against artificial light but not the inside area of darkness.

Kashmir, today, is a police state, a large prison, an armed camp, run by puppets and guarded by goondas. There are 100,000 Indian troops to look after 4,000,000

Kashmiris. They thought that since the army has its own ways of dealing with men and situations, this force should be suitably supplemented by quasi-military units in the larger interests of the State people! Thus, they have today an impressive array of forces—the Indian troops, the Militia, Home Guards, the Central Reserve Police, the Kashmir Reserve Police, the Kashmir Special Police and the Kashmir Regular Police. They are there in the valley to promote the welfare of a people who, to quote Nehru, have made "unprecedented progress" since the Maharaja decided to accede his State to India. But the puppets thought of another innovation—the Peace Brigade. As the name connotes, they are to maintain peace—at any cost. Shoot at sight, kill at random, but peace must prevail in the valley! Even foreign correspondents are shadowed; and if they appear determined to leave the 'shadow' in order to grasp the 'substance', they are formally interrogated and externed from the State. But, perhaps, the only redeeming feature of the whole thing is that, in spite of stringent censorship and restrictive measures to conceal their guilt of *suppressio veri and suggestio falsi*, truth has been able to shout from Banihal tops.

The Indian occupation forces soon discovered that there was another army—an army of unarmed men, women and children, in search of freedom. Gripped by fear, the harassed and hapless people of Kashmir live in deadly peril of anything that might happen to them, any moment. India's hirelings and hooligans parade the lanes of every village and streets of every town. They have an eternal date with the people, to see that there is

no trouble. But trouble there is, all the time, everywhere. Plebiscite has become a blasphemous word and all those who utter it must be punished. They are not taken as political agitators but treated as confirmed criminals; their movements are watched and their houses are searched on the slightest suspicion. But this is not the only price they have to pay; they are penalized in many more ways. If they happen to be in the police force, they are fired; if they are in the civil service, they are at least demoted; if they are in business, the contracts are cancelled and all facilities withdrawn. They can, of course, have as much liberty of speech, freedom of expression and economic relief as they want if, with these favours, they do not want plebiscite. But the fight for plebiscite goes on, in spite of detentions without trial and persecution without prosecution. As more and more people are flouting local authorities of puppet regimes and openly demanding a plebiscite, there is more repression, more suppression, more corruption.

All this has to happen because India has taken possession without plebiscite; it is a new kind of political brigandage committed by leaders of modern India. India has hugged Kashmir to her bosom but what is dear to her is not the people but the purple-red saffron fields of the vale.

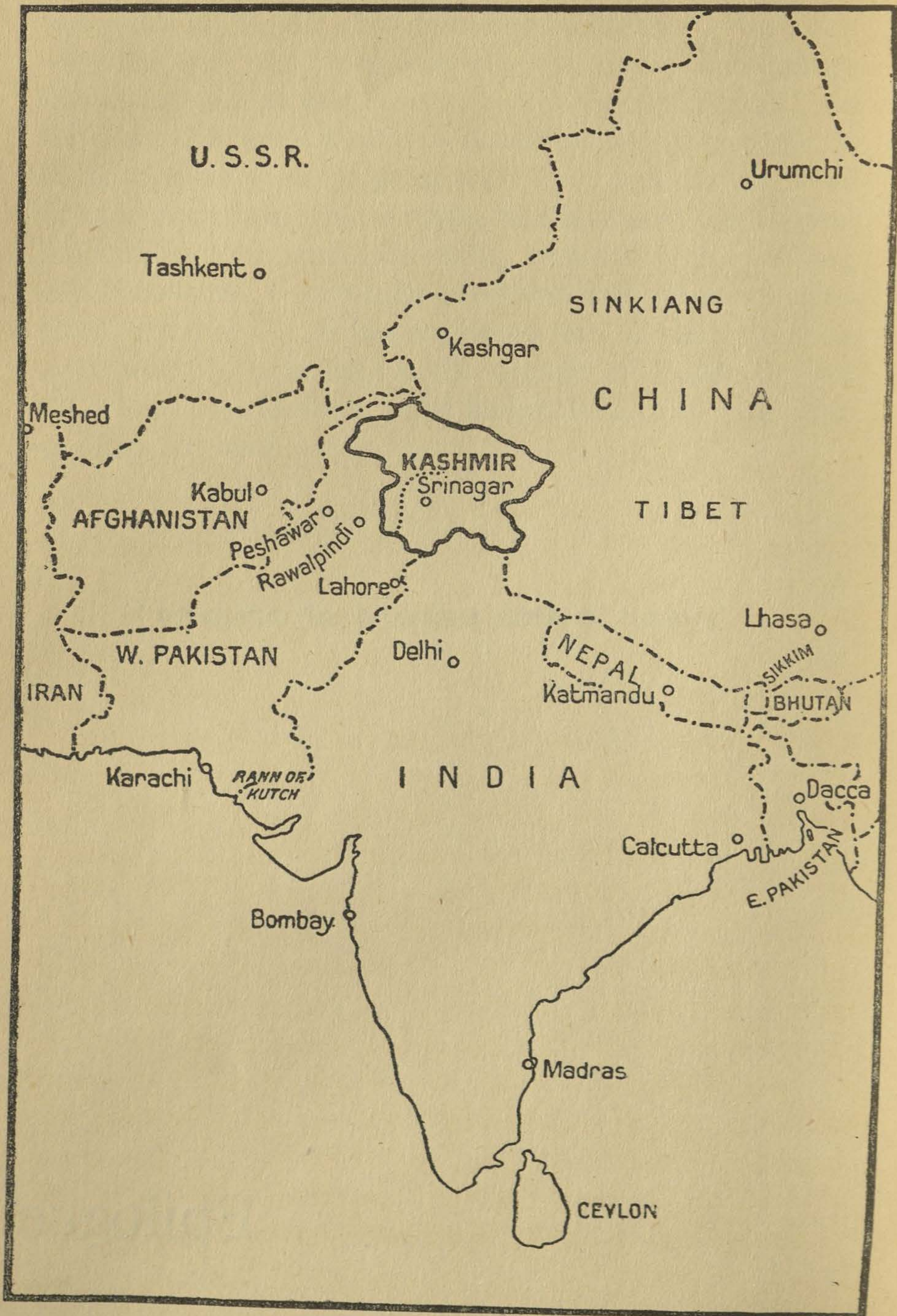
> There is a garden in her face
>
> Where roses and white lilies grow

Today, there is no natural flowering but an excrescential growth; the new harvestors are weeding out the

last vestige of the garden and the gardener. But, one day, the land will be reclaimed; the canes will spring from their trunks and arms; the seedlings will smile and the plants bloom. That day Kashmir will again be 'a thing of beauty' as the grass will look greener and the foliage more fair. Meanwhile, 'the Kashmiri nightmare' will continue to 'burst into reality, into a horror of killing and bloodshed, over which governmental authority may have no control'. It has happened and it shall happen again and again, as long as the dream of freedom lives on. One day, Kashmir must have a face that resembles nothing but itself.

"Fear is the parent of cruelty"

Epilogue



U.S.S.R.
Urumchi
Tashkent
SINKIANG
Kashgar
CHINA
Meshed
KASHMIR
Srinagar
Kabul
AFGHANISTAN
Peshawar
Rawalpindi
TIBET
Lahore
Lhasa
W. PAKISTAN
Delhi
NEPAL
SIKKIM
IRAN
Katmandu
BHUTAN
Karachi
RANN OF KUTCH
INDIA
Dacca
Calcutta
E. PAKISTAN
Bombay
Madras
CEYLON

EPILOGUE

With every new onslaught on her Kashmir policy, India's conduct comes to wear a new complexion. Having inherited the catchwords of 'secularism' and 'communal telerance' from her father, Mrs. Indira Gandhi has dismissed plebiscite 'on a religious basis' because it can "open up vast problems not only in India but, I think, in many other countries. It would certainly create a very difficult situation here. It might even affect the stability of India. And if it does that and if India is weakened, I don't see who gains." In other words, 'the crux of this theme is that Kashmir is a part of India and that if it is allowed to go, many states in India will try to secede'. This danger, according to Desai, India's Deputy Prime Minister, not only justified the ordinance for the prosecution of those campaigning for 'secession' and the 'overthrow of government' but 'excused burning of Kashmiri villages by the Indian army'. The tender relation between 'secession' and 'secularism' and the fear of fissiparous trends, if Kashmir opts for Pakistan or goes independent, are issues on which Indian leaders have capitalised with a favourable balance of trade. It is not difficult to imagine what they must be privately dinning into the ears of their western benefactors; the argument must be running on these lines: 'You know that we are a fragile society infested with caste and communalism; we suffer from some endemic weaknesses;

we are maintaining a delicate political balance and the slightest stir can topple our house. We have placated the Sikhs for the time being, having conceded a suba and not a state. Then, the Nagas are knocking at our eastern door; whether or not they are receiving any help or arms from Pakistan, the fact is that they want to secede. The south has been far from quiet; the language controversy in Madras and Kerala can erupt any moment and assume any shape. To cap all, there is the food problem and general frustration. By forcing us to a compromise on Kashmir, you will be pushing us into the grave, destroying the world's biggest democracy and opening the door to China. It is not the question of self-determination for Kashmiris but the survival of India as one political entity. Once it starts, there would be nothing to prevent others from doing the same thing; I am powerless to stop it as it will be a breakaway chain reaction. It will be China's opportunity and India's end; all this area will be ideologically, if not physically, overrun by our common enemy. Would you like China to dominate us? Is it not in your selfish interest to stand by us and support the status quo in Kashmir? We know we can't win the vote in the valley; the Kashmiri Muslims will rather side with Pakistan, but that's not the point. Our worry is not the verdict of the people because we know what it is going to be; what is perturbing us is the future of India—India will be shattered to pieces. It is not an issue of freedom for Kashmiris but the fate of India. You can see that we have a case . . .'

But there is a strong presumption against the truth of India's trumpetted case. Firstly, she had accepted

UN resolutions calling for a plebiscite in Kashmir and gave repeated assurances that she would honour her pledged word ; more importantly, she did not make this commitment to any other acceding state or agitating people in India. Thus, why should her failure to hold Kashmir threaten her stability, security or integrity? If the fabric of India's unity is so precariously hanging by a thread, Kashmir or no Kashmir, she is bound to be overtaken by a splintering process and disintegrate in course of time. If they are trying to protect and project a unity which does not exist, the central authority in India is bound to be disowned 'until the whole structure comes down'.

Secondly, Indian leaders often recall the history of the United States and the bloody civil war in the States to prevent the south from seceding. But, this 'analogy is inaccurate since Kashmir is not a part of India trying to secede, nor a slave-owning society attempting to retain slavery'. Thirdly, India's refusal to give in to what they think is communal demand, tends to impress that she is faithfully following the ideals of a secular polity. But, is it not a fact that revanchist Hindu militant organizations like the Rashtriya Sevak Sangh have almost institutionalized religious fanaticism in India. The most desirable victims are, of course, the Muslims. They live in a state of perpetual fear and economic squeeze. Writing in a Madras journal, Mr. C. Rajagopalachari, the former Governor-General of India, pointedly asked his compatriots to explain this paradoxical situation : "Must the Hindus be free to use their majority strength in

India and call the Muslims' self-defence communal while their own communal activities go by the grand name of secular democracy?"

The Hindu Mahasabha, a cultural wing of RSS, has launched its 'save India from Christian imperialism' campaign as it agitates for action against the missionaries. The untouchables were named 'Children of God' by Gandhi, but it must be Siva, the old Hindu god of destruction because the centenary gift to Gandhi was the murder of Harijans in a number of Indian villages. Even Indian newspapers carry reports of untouchables being burnt, buried alive and hacked to pieces. Three untouchables were shot dead in a central Indian town recently for growing their moustaches upwards and not downwards to suit their 'lowly' social status. A Harijan boy was brutally killed while walking along a street wearing sandals. A recent convention of Indian minorities came to the conclusion that their future was 'bleak and horrifying'; the participants decided to form a new political party to be called All-India Federation of Muslims, Scheduled Castes and Backward Classes.

In spite of overwhelming evidence to the contrary, the Indian Minister of State told the UN General Assembly that Muslims were enjoying the 'blessings of secular India' and were in fact 'living very happily'! But fine words, they say, cannot feed a starving cat. Mr. Nirad C. Chaudhri rightly observed: "Since the people of this country will not face that reality, they think they can get rid of it by repeating the word secular". Mr. Mulgaolkar, Chief Editor of the *Hindustan Times*, says that "every time there is an outburst of communal

passions, the Congress leadership goes through a routine ritual whose ingredients are an expression of shock and condemnation of the forces of organised communalism and an appeal for national unity." A recent editorial in *The Times* said : "The trouble is that secularism has been proclaimed rather than precisely defined or entrenched". A correspondent of *Statesman* has castigated Indian leaders who 'go on merrily as if nothing has happened and sometimes indulge in the luxury of talking about the future greatness of the country.' The weekly *New Age* of India, thinks that their "pretensions to secularism are a great fraud on the international community and that beneath this cloak of secularism, militant Hindu chauvinism is masquerading in India". Thus, it is not Kashmir's feared secession from New Delhi but the economically disenfranchised and politically persecuted minorities, sub-national groups and tribes who may, one day, precipitate the downfall of India. India has to cut through the 'religion-and-caste abracadabra' before she can hope to preserve its unity.

Strategic Spectacles

Are Indian leaders fretting and fuming because the secessionists are active in 'strategic areas like Kashmir'? They say that all the UN resolutions have become obsolete because Kashmir was necessary for India's defence! Mrs. Indira Gandhi told the troops near the cease-fire line that 'Kashmir was vital for the integrity and defence of India'. It was a firm reiteration of what Nehru had told the lower house of the parliament on 17 September, 1953 : "You must remember the basic fact that Kashmir is a highly strategic area". Even

Gandhi once gave out that Kashmir 'had the greatest strategic value, perhaps, in all India'. On the eve of Maharaja's stroke of accession, the Indian foreign department sent the following telegraphic advice to the British Government: "Kashmir's northern frontiers, as you are aware, run in common with those of three countries, Afghanistan, the U. S. S. R. and China. Security of Kashmir, which must depend on internal tranquility and existence of stable government, is vital to security of India, especially since part of the southern boundary of Kashmir and India are common. Helping Kashmir, therefore, is an obligation of national interest to India." Nine years later, Nehru put it more bluntly: 'Even if Kashmir had not acceded to India, it would have been our duty to defend it'. An official Indian handout gave a perverted version of the constitutional position after partition: "In the absence of accession . . . the Union of India was responsible for the defence and protection of Indian States, since it has succeeded to the British Crown in the same way as the British Crown had succeeded to the East India Company, which in its turn had succeeded to the Moghal Emperor. The United Nations recognized the Union of India as the successor State to the pre-independence Government of India by allowing it to continue its original membership, while admitting Pakistan, on her application, as a new member State."

India has not been able to dupe the world with these cant phrases. It is not always possible to make the best of a bad bargain. Indian spokesmen have been writing their arguments with sand; in the United

Nations, they have been reasoning on a purely legal and technical plane; to a section of world opinion, they have been telling that two elections in the State have ruled out plebiscite; for the consumption of liberal-minded nations, they say that a communal demand cannot be entertained in a secular society; the Indian Musalmans are warned that they would be working for their own self-destruction if they supported self-determination for any segment of their co-religionists; the protecting superpowers are taken into confidence and invited to appreciate India's strategic stake in Kashmir and the danger of her breakup as a united country in the wake of a successful separatist movement. Mr. J.J. Singh, head of the India League in the United States before independence, has described the Indian propaganda that the valley of Kashmir is essential for India's defence as "one of the biggest bogies we have created". He added that "there are many other routes which Pakistan or China could take if they wished to attack India."

The geopolitical view is weightier in Pakistan's case because Kashmir is an unbreakable link in her defence chain. Within a few weeks after partition, Sheikh Abdullah pointed out that "the Jammu and Kashmir State has been one of the principal recruiting grounds of the Pakistan army, a source of man-power Pakistan cannot forego. Its occupation by India will expose Pakistan's vital flank with its main rail and road communications." Thus, India found in Kashmir a big base for penetrational operations against Pakistan; her occupation of this area 'is an arrow pointing at the heart of Pakistan'. In fact "one has only to see our communi-

cations, our rivers, and even the cease-fire line in Kashmir to realise how Pakistan's defences are outflanked, and the main arteries of her communications are threatened . . . They are sufficient factors to indicate that our neck is in the grip of others."

During the eighties of the last century, an article (by an anonymous writer) appeared in *The Times* of London. It is worth quoting: "Then it is said Kashmir is of no military importance; that the British Government do not cast greedy eyes on it. Blame me as you will, but record it for yourself, unless there is a decided change of policy, before long Kashmir will soon be as much British India as is now Burma. And is the country of no military importance? I think the military authorities in India consider otherwise. Why, the first instructions issued to me ten years ago, were to make a 'gun carriage road' through the mountains. Is there not a road being projected now to the utmost corner of the kingdom, with vast sums of money being spent on it, solely for military purposes? Has the Maharaja not been repeatedly threatened with a military cantonment, to be placed in the most favourable situation in the valley?" E.F. Knight was a member of the expedition which was organised under Colonel Durand in 1891 when hostilities broke out in the frontier. According to him, "it is only recently that the great strategical importance to the Empire of this position has been fully realized. This region is now attracting some attention. Our influence should at least extend up to that *great mountain range which forms the natural frontier of India.* It is necessary for the safeguarding of our Empire

that we should at any rate hold our side of the mountain gates . . . Had we not sold this magnificent country a great military cantonment would no doubt have been long since established here. This would have been most advantageous from a strategical point of view." All these historical references relate to an area which is now part of West Pakistan. It is hardly profitable for Indian leaders to argue against such an axiomatic position.

A Hindu Land!

Mr. Karan Singh, son of Kashmir's last ruler, has admitted that the people 'did not want to live with India' but that is immaterial because 'we see no reason to give up this superlatively beautiful area'. The urge for freedom is understandable but 'almost all large nations in the world have at their peripheries certain secessionist tendencies.' Above all, India's claim to Kashmir is that, for the Hindus, "every inch of this land has traditionally been considered sacred, hallowed by association with great saints and sages going back to the very dawn of recorded history." As a lie is a coward's way of getting out of trouble, they have now declared Kashmir a Hindu land—the old Hindu gods confined in caves or perched on mountain tops still beckon the faithful to this ancient land of rishis and sadhus! Believe it or not: 'the deaf man heard the dumb man tell that the blind man saw the lame man run'. An official statement issued by India's Press Information Bureau asserted that "there was not a single Muslim in Kashmir upto the year 1340 of the Christian era." If the clock of time could be so conveniently put back,

there was a year when there was not a single Hindu in India. If the historical process of social upheavals down the ages could be reversed, the caste Hindus of today should hand over the country to non-Aryan Dravadian and other aboriginal tribes who ruled this land long before Krishna played flute and Ram plunged into romantic duels to win Sita's love. But it is sheer bunkum to speak in these terms because *today* Kashmir is peopled by Muslims; it has a distinctly Muslim personality and no miracle or mantaras can alter this physical fact. What is more, Kashmir's cultural viability was born with the embrace of Islam; Kashmir acquired an entity after the Muslim conquest of India.

In fact, when they say that Kashmir is a land of Hindus, they are really suggesting that it should be a land of Hindus. They believe that it can be converted into a Hindu State; the official organ of RSS has proposed 'expulsion and liquidation of Kashmiri Muslims' and demanded settlement of Indian Hindus in Kashmir. An alternative plan is that the disputed territory should be sequestered 'by dividing into various regions and merging them with adjoining Hindu majority areas'. A leading Indian daily *Partap* advocated that 'the only way to make Kashmir an integral part of India was to settle *loyal* citizens of India in Kashmir. If this process leads to civil war, let it be. If the Indian *traitors* resist, let the blood flow". Openly articulating Indian designs, another Indian journal warned: "Unless the complexion of population is changed and the majority is converted into a minority, the basic problem will remain unsolved and Kashmir will always remain exposed to danger.'

An Indian State Chief Minister, Mr. C. B. Gupta, has urged that "there should be no discussions with any one at this stage on Kashmir and a complete silence should be observed. This oath of silence should be broken only when the non-Muslim population exceeds the Muslims there. Then we agree to anything—election, referendum or plebiscite, come what may."

According to Lord Birdwood, "the motives of the Kashmir State Government in prosecuting so disgraceful a campaign of persecution are not difficult to divine. A systematic modification of the population in favour of the non-Muslim elements would obviously achieve popular support for an extension of their own precarious term of office." After a series of massacres since 1947, the Indian Government has lately stepped up measures to uproot the Muslim population from occupied Kashmir. At least half a million Indian Hindus have been awarded citizenship certificates and resettled on landed property of Muslims who were driven out of the State.

The Only Way

The Hindu Pandits of Kashmir have welcomed 'remedial measures', proposed by a former Chief Justice of India, to remove 'imbalance in development programmes' and 'tensions in different regions' of the State. The plan aims at creating a non-Muslim majority in the cabinet of the puppet Government and 'bringing the possibility of a Hindu Chief Minister for Kashmir nearer.' Thus, the chairman of this enquiry commission is happy to declare that "so far as India is concerned, Kashmir presents no problem ; Kashmir is a part of India, and it will remain a part of India so long as India is able to

maintain the integrity of its borders". In other words, a strong military posture is the only way to frustrate Pakistan's efforts to secure the right of self-determination for the people of Kashmir. Thus, the burden of defence in India has shot up from Rs. 151 crores in 1948 to Rs. 1000 crores in 1968. But, as the *Economist* pointed out, 'economic ruination stared India in the face if she persisted in her intransigence over Kashmir . . .' Two Indian intellectuals, Mr. T. N. Zuthsi and F.P. Menon, have deplored that the administration of Jammu and Kashmir is a heavy burden on the poor Indian taxpayer 'amounting to hundreds of crores every year in the form of military and police expenditure as well as so-called trade and other subsidies intended to win the allegiance of the people.' In fact, the Indian occupation of Kashmir is proving mutually destructive. In spite of their ruthless exploitation of Kashmir's natural wealth, which has rendered nude huge tracts of forest land, the Indians complain of 'the terrible economic drain on the taxpayer which the occupation of Kashmir involves.' On the other hand, Kashmiris are groaning under the weight of loans from the Central Government which have, as Bombay's weekly *Current* said, reached a fantastic total of Rs. 190.87 crores and the average indebtedness of a citizen of the held area now stands at Rs. 516. It is also reported that most of the industrial estates in Kashmir have been converted into barracks for the Home Guards and the armed police.

Despite her deepening economic crisis, India is feverishly busy building up her military potential. On their own admission, 'the country was facing the most

crucial test' and they shall have to go through 'hell and fire' to achieve economic stability. In spite of the economic malaise which afflicts India, they have made a fetish of a 'twin threat' from China and Pakistan and are spending more than £ 3 million per day on raising a formidable fighting force. In a self-laudatory vein, Mrs. Gandhi says to her foreign visitors that 'India embraces the whole of history from the stone age to the present'. It is ironically true because India has set 'one foot in cow dung and the other in the atomic age'; she is torn between grinding poverty and grafted luxury and holds a precarious equation between economic objectives and military ambitions. India is living 'in a world of self-deception and make-believe' and not realizing that her reckless military expenditure can cripple her 'beyond the point of endurance.' India's preoccupation with military outlays has been rightly termed 'a costly attitude which diverts her resources from economic recovery, augments fear and international tension and is leading to an armaments race in the whole area'. India's new image is that her leaders are 'adrift on a fast sinking ship'. It is largely because of her extravagant expenditure on defence that India's food production has declined to such a low level that her famished people are chewing leaves to survive, eating seeds for the next crop and even grains found in cow dung and desert plants regardless of their poisonous content. There are reports of mothers in prison slaughtering their hungry children; some parents, in desperation, steal and even kill to feed their starving family. Many impoverished farmers have sold their bullocks, their wives, jewellery and best clothes; the new face of India is grimly reflected in

'dried-up wells, cracked fields and emaciated men.'

India is cannibalising her total resources for the purchase and production of arms. Bombay's *Indian Express* disclosed that even natural gas is being 'recklessly destroyed in India just because the special type of steel needed to make cylinders to harness this gas for industrial purposes is being used for armaments manufacture'. In the same indulgent way, India is channelising foreign economic aid into defence and military preparations. Seven Republican members of the American House Foreign Affairs Committee have strongly objected to 'India's massive arms buildup' which they think is being made possible by 'massive American economic assistance'. They also wonder 'to what extent our aid to India is in effect subsidizing that country's purchase of Soviet arms' and to what extent 'the arms buildup by India will upset that country's delicate balance with Pakistan which is so important to peace in Asia'. Both the United States and Soviet Russia are 'deeply concerned and disgusted over the misuse and wastage of their economic aid to India' but both of them are perhaps unwilling or powerless to persuade India to mend her relations with China and Pakistan.

Tangible Targets

An American journal has accused Indian leaders of using Kashmir as a "chauvinistic vehicle fuelled by jingoism, militarism and religious passions". They have spread the scare that even an indication of a plebiscite in Kashmir will spark communal riots in India—and the worst sufferers will be the Muslims. The fear might not have been so unfounded if perfect communal peace

had prevailed in India after independence. But, since 1947, has there been a day without communal disturbances? The argument tends to mean that the people of Kashmir have to uphold Indian right to rule them not only to prove their but Indian Muslims' loyalty to India. The Kashmiris must continue to writhe under subjugation for the sake of their multitudinous Muslim brethren in India. If they opt for Pakistan, they will not only be confirmed as anti-Indian but will be held guilty of destroying the allegiance of Indian Muslims. What one section of Muslims decides to do will be taken as the general opinion of all the Muslims in India. What an exercise in excruciation? Is it a test of loyalty or threat of lynching? Are 80-million Indian Muslims condemned to live as awe-struck hostages and serve as helots of Hindu overlords? India's defence case has found no audience because there are more serious challenges to Indian unity than Kashmir. One of the appealing explanations is that, if India agrees to a settlement of the Kashmir dispute and, in case of a plebiscite, the people of Kashmir vote for Pakistan, it would mean an implicit recognition of Pakistan as a sovereign state in the subcontinent. Thus, the heart of the conflict is not Kashmir but Pakistan. During the turbulent days, following the Maharaja's accession to India, Gandhi prescribed that the proper course for his country was 'not merely to give fight in Kashmir but to attack Pakistan itself and to march to Karachi.'

"Most of India's millions", says an American newspaper columnist, "do not give a hoot about Kashmir. What are the four million Kashmiris to the country that

gains as many new babies every 75 days? What is the strip of mountain-locked land only 26 by 60 miles in a subcontinent as vast as India? Kashmir that India's politicians talk about is *a symbol of India's frustration and resentment that the subcontinent was ever divided in the first place . . .*" Indian leaders continue to whip the enthusiasm of Hindu masses for a common nationality and never cease to consider Pakistan as an artificial creation, a temporary phase, a passing episode in the history of India's struggle for independence—and unity. How profoundly it is true is borne out by India's refusal, after partition, to treat Pakistan as one of the successor states in the subcontinent; at one stage, Nehru was not even prepared to negotiate with Pakistan as it had no locus standi in the Kashmir dispute! When Nehru stated that the people of Kashmir had challenged Pakistan's two-nation theory, he was just being a victim of vanity as he wanted to have the pleasure of holding a Muslim majority area against the principles of partition. Sheikh Abdullah's earlier lament was that the suffering of Kashmiri people was a bye-product of enmity between India and Pakistan. He must have realised that this power struggle is not confined to the Kashmir landscape; if India is able to cow down Pakistan and make her subservient to New Delhi, the people both in Pakistan and Kashmir are in danger of losing their freedom.

Wild Goose Chase

Inflated with military pride, encouraged by Security Council's flexible stance and emboldened by superpowers' new preferences in Asia, India has declared

Kashmir a closed chapter. The other day Mrs. Indira Gandhi said that Tashkent Declaration did not warrant any discussion on Kashmir. She appears to be the modern edition of her name-sake, the Hindu god Indira, who could assume any shape or form or countenance he liked—depending on the nature of the peril or needs of the hour. When the Indo-Pakistan war was on and the Security Council adopted a resolution calling for a cease-fire and settlement of the Kashmir dispute, the Indian representative hastened to accept it without a moment's hesitation. Now her Minister for External Affairs has repudiated Indian obligations under the Security Council's resolution by pointing out that 'India had accepted it conditionally and not as a whole'. The Maharaja's conditional accession to India did not prevent her from declaring it as 'final and irrevocable' because she had no intention of giving up Kashmir, but her instant acceptance of Security Council's resolution of September 20 has become conditional because, as always in the past, she had no intention of abiding by its terms. All these years, India has engaged us in dismantling obstacles erected by her political masons. It has been a sickening search for any formula to which she would respond favourably. They try to avoid a final breakdown but like to maintain a stalemate. It is an astounding story of pledges and denials, confirmations and contradictions, assurances and rebuttals. As each resolution of the Security Council was softened, India's resolve to hold on to Kashmir stiffened. When a proposal is submitted, they come out immediately with a counter-proposal; when they feel that it has a chance of being accepted, they are ready with a counter-counter-proposal.

It has never been a straight reply but always an oblique oration. How can you have a working equation with a party which not only disagrees with the obvious inference but disputes the facts? They even refuse to accept the interpretation given by the framers of a resolution. In fact they present a garbled version of their own first interpretation to ensure that an authorised version is never in sight. Indians would like their formula to mean all things to all men ; is it practising intellectual subtleties or is it downright deception? In 1948, when Pakistan pleaded for a little time to prepare its brief, the Indian representative shouted at the members of the Security Council and demanded immediate settlement of the Kashmir dispute as 'the situation does not brook delay'. India's Bajpai warned that 'the sands of time are running out ; if the problem is not resolved by reason, the sword will find the solution'. Today, we all realize that India has been merely playing for time and dealing with the United Nations not to seek a solution but to reinforce her occupancy of Kashmir and conduct a tirade against Pakistan.

UN And Superpowers

Nehru was always very keen 'to increase the prestige of the United Nations'. His daughter is equally concerned "over a tendency to 'churn out' resolutions whose implementation was doubtful, since that was undermining the authority of the whole decision-making machinery of the United Nations." But, in spite of her declared devotion to UN ideals, India's defiance of Security Council's resolutions on Kashmir was a deadly

blow to the new international forum. It is true that the Security Council, as an executive organ of United Nations, is not a court of law, but it is the only adjudicating body available to the aggrieved parties. Despite its congenital deficiency and defects, the United Nations was considered indispensable for the maintenance of world peace. What is more, in the beginning, its response to petitions was heartening and it held out new hope for mankind. Kashmir was one of the first disputes brought to its bar; in spite of repeated breaches of faith by India, the members of the Security Council did not fail to grasp the essence of self-determination for Kashmir and demonstrated "the United Nations' will to exercise its moral authority backed by an overwhelming world opinion." As it advanced in years, the United Nations began to betray signs of age and developed a senile apathy towards urgent world issues. For the smaller powers, it has already slided into despair and bankruptcy.It is a cynical defence of UN to say that it was created not to get us to heaven but to prevent us from going to hell. In other words, the contending parties should rejoice in a state of suspense if they do not want the dispute to be consumed by the corroding processes of time. All agree that the UN is 'badly in need of a new lift and a new leadership' but, frankly, has it any existence outside the superpowers who use it both as a pawn and power to promote their global interests ? Thus, if there is a dispute between two small nations, it is bound to die unless it has real attractiveness for one of the big protecting powers. The world's small states hold majority membership of the United Nations but their manoeuvrability is confined to the freedom

and pleasure of speeches and statements. Let them roar with pain or rattle the sabre but no action can be expected unless one of the superpowers is seriously committed to support a satellite. It is a privilege without power; they have the right to talk without hope of a reward ; they have a platform for performance but no promise of redress. In fact, the representatives of these puny small states are seldom made to feel scared; let them attack and abuse the world organization but, strangely enough, the surest guarantee of UN survival is the unfailing function of big powers to act as watchdogs and shock-absorbers.

But, can we welcome it as a relieving feature when we know that big power politics "whether as an instrument of nationalism or of ideological extremism, is the natural enemy of international order as envisaged in the UN Charter"? The present UN Secretary-General often hits out against both the superpowers; he is plagued by constant conscience pangs because he must be pained to see that the success or failure of United Nations in a given dispute is always a mirror of power politics at a given moment. When Kashmir became a victim of cold war in the early fifties, many were distressed to find that this human problem was being unnecessarily projected into the context of world politics. Today, the scene has shifted ; the old spirit of rivalry is gone ; and some smell a conspiracy among the superpowers 'to substitute an irresistible condominium for the perilous competition between them.' Philosophers Bertrand Russell and Jean Paul Sartre, historian Vladimir Dedijer and mathematician Laurent Schwrtz warned in a letter

to *The Times:* "We have reason to believe, on the basis of prima facie evidence, that the United States and the Soviet Union are enacting an understanding which involves reciprocal support for the crimes of each in its agreed sphere of influence. The secret diplomacy of the rulers of United States and of the Soviet Union threatens the liberty and sovereignty of men everywhere."

Perhaps in no region of the world is collaboration between superpowers more evident than in the sub-continent. India has refused to sign the nuclear non-proliferation treaty; India has refused to bend her steps in Kashmir; India has refused to make it up with Pakistan but 'the continued supply of arms and economic aid to India by Russia and America is a proof that the Indian actions will not be made a ground to deprive it of their support.' They cannot think of coercing India because India is a Sacred Cow. "Somehow this is true", said an American Congressman, "despite India's record of pillage in the religious wars, despite India's aggression against Goa, despite India's record of persecution of the so-called untouchables and despite India's record of political tyranny in denying self-determination to Kashmir." On the other hand Pakistan has been warned that 'Kashmir cannot be wrested from India by force' and 'the unanimity so far preserved by the Security Council should convince her that she can no longer play upon big power differences'.

In 1948, the American member of the Security Council almost broke down as he spoke in an emotion-choked voice, exposed India's dilatory devices and insisted

on an expeditious solution of the Kashmir dispute. In 1968, an official American spokesman says that his government 'regarded the problem as one concerning Pakistan and India', who should help themselves and find a solution. In 1948, the British member of the Security Council described Kashmir as 'the greatest and gravest single issue in international affairs'. In 1968, the British Foreign Minister disowned any responsibility in the matter because it was not for his country 'to meddle in this affair'. The Soviet Union would perhaps expect us to thank her for sponsoring the Tashkent meeting, giving up her pronouncedly pro-Indian stand and even deciding to supply some arms to Pakistan.

China became a nuclear power after her border war with India; it was a great opportunity for Indian diplomatists to embark on a 'gigantic blackmail'. India is sedulously maintaining, what may be called, a business enmity with China to secure all possible military aid and financial assistance from western countries. Having studied the chequered canvas of world politics, she has 'rationalised' her behaviour patterns towards the three superpowers. It has been well said that "India currently presents *three faces* to the world: one to the West, simulating a resolve to fight China in order to secure the maximum of western arms assistance; a second to the Soviet Union, stressing her resolve, nevertheless, to remain 'non-aligned'; and a third to China, seeking a peaceful settlement of the dispute by secret peace overtures through neutral emissaries." Like the Hindu mythology, the present day Indian foreign policy record is a mixture of parables and paradoxes but a common

trait of trinity is manifest in the old beliefs and new practices. According to the authors of Rigveda, the universe consists of three parts—heaven, air and earth. India's international posture is dictated by old deities who had their individual existence but performed triple duties. One of the glorious gods of Hindus was Agni about whom it is said that he was a triple-natured being. Another Hindu god had also three functions—to sway the firmament, to control the rain and fight the battles. With the dawn of Brahmanic era, three powerful gods emerged—Brahma, Vishnu and Siva. A product of Vedic age, Agni became the symbol and supporter of three powers—the sun, lightning and fire. Translated in modern terms, India treats herself as the sun and wants the smaller neighbours to become her satellites and bask in the sunshine of India's secularism ; lightning symbolises outburst of communal frenzy which has led to mass killing of Muslims ; the fire burning inside is the fire of hate.

Amity or Enmity

The old Hindu gods seem to have been reincarnated in today's India, though they have been cut to size and tailored to meet modern requirements. One of the triple-handed Hindu gods had an extra hidden arm ; India's fourth arm is always raised to browbeat Pakistan. India's bearing vis-a-vis the world is three-dimensional but Pakistan constitutes the fourth dimension ; to put it geometrically, it is a 'solid angle formed by three or more plane angles meeting at point'. The 'point' is Pakistan because all lines of their policy converge on Pakistan. Time has not taught them that they cannot efface Pakis-

tan ; experience has not made them realise the sheer impossibility of living eternally as a sworn adversary of Pakistan. Can the two survive without amity or without enmity ? What has polluted the atmosphere and dimmed the hope of Indo-Pakistan detente is not lack of opportunity but lack of goodwill. An abundant fund of goodwill will flow if India agrees to remove the simmering cauldron of Kashmir. Governments in India and Pakistan come and go but Kashmir remains the perennial problem. India does not revise her policy for fear of loss of prestige but her failure in changing her present stand might lead to a greater loss of prestige. As *Sunday Times* said, "the danger in Kashmir is fierce but opportunity is correspondingly great. India and Pakistan would never live in friendship until the canker of Kashmir is exorcized".

In order to make a show of their willingness to reconcile with Pakistan, Indian leaders make a periodic offer of a no-war pact. They are so fond of these trite gestures that they put a wishful construction on the terms of Tashkent Declaration and claimed that in agreeing not to have recourse to force, Pakistan had virtually signed a no-war pact with India. During his visit to the United States, a former President of India said that a no-war pact with Pakistan could be registered with the United Nations and thus give it 'international validity in law and in morality which it would not otherwise possess'. Has India shown any reverence to United Nations resolutions on Kashmir to justify our gesture in accepting the recommendation at its face value ? Secondly, it is redundant to talk of no-war agreement when

both India and Pakistan are members of the United Nations and Article 23 of the Charter enjoins upon the parties to any dispute to seek a solution by all possible peaceful means at their disposal.

Thirdly, we have to remember that the desire for a no-war pact is born of the fear that war may break out any moment; every agreement that seeks to rule out the use of force is based on the assumption that there are disputes that can lead to an armed conflict. Thus the terms of such a pact must include a provision for the settlement of disputes. As Kashmir has become the keystone of India-Pakistan relations, there can be no prospects of peace without resolving this dispute. As Kashmir, like Hellen, is the 'beautiful cause' of all trouble, it must come first in the order of priorities. Explaining his views on India-Pakistan adjustments, Mr. Shastri once said that substantive talks could take place only in an atmosphere 'free from tension' and we should 'deal with irritants as effectively as possible so that discussions on major outstanding problems can be conducted more purposefully.' But, as Mr. Arshad Hussain, Pakistan's Foreign Minister, said: 'Experience has shown that agreements, even on peripheral issues, do not hold in the atmosphere of tension perpetuated by the continuance' of major disputes. In fact, we have also tasted the Indian recipe to work from the crust to the core of the problem; one of the most significant betrayal of Hindu mentality is their hesitation in settling the Berubari issue (five square miles of territory to be ceded to East Pakistan) when a decision for demarcation was taken in 1956. Fourthly, how can a no-war document ensure

Pakistan against Indian attack and aggression when they have always resorted to force and tried to coerce their smaller neighbours into submission. A no-war pact becomes utterly meaningless when they are not even prepared to consider the reduction of forces at a reasonable level. Like a parasitical, gluttonous worm, cushioned inside India's body-politic, defence continues to eat up large chunks of their national budget. Basically, it is a question of confidence and motives; Indian leaders can always change their mind if they feel strong enough to attack Pakistan. A pact of peace becomes a scrap of paper when there is lack of good intentions to honour a gentlemanly agreement.

Day of Reckoning

Given good intentions, India should at least be tempted to come to the conference table and pursue the possibility of a compromise solution acceptable to her, to Pakistan and the people of Kashmir. But all efforts have failed to move India into meaningful talks. When the creed of 'peaceful co-existence' was popularly held, Indian leaders freely indulged in the pentalogue of Panchsheel; after the battering from the Chinese, they were suddenly found in favour of a dialogue with Pakistan; now they are content with a monologue because, as President Ayub said, their thesis 'let goodwill grow' means 'let's have it our way'. They are not ready to be drawn into any discussion on Kashmir; they may be prepared for a concord if Pakistan writes off the word 'Kashmir' from her political lexicon. What infuriates them is that Pakistan not only advocates the Kashmir cause but claims the support of the people. The Indians assert that the people of Kashmir have

'repelled the Pakistani aggression twice'. It is easier to catch a liar than a cripple. The majority of these people are Muslims: can they explain why lakhs of them have taken refuge in Pakistan after the Maharaja developed colic trouble and announced accession to India? If these people had any democratic faith in the Indian regime, why did they totally boycott the recent by-elections to the State Assembly? If the Muslims are trusted citizens, why non-Muslims dominate all the centrally-controlled departments in Kashmir? And, finally, if they are so sure of their support, why do they not elicit the verdict of the people and end the problem once and for all? They are deceiving themselves when they brag that the people of Kashmir, though predominantly Muslim, do not wish to join Pakistan and instead 'they support the ideals of Mahatma Gandhi'. But it has to be proved and can only be proved by plebiscite. A Nagpur Hindu has embarrassingly summed up the Kashmir issue for Indian leaders: "It is obvious that the Kashmiris will vote either for an integration of Kashmir with India or against such integration if a plebiscite is held. If the Indian Government is sure that Kashmiris want to integrate their State with India, why does't it agree to a plebiscite? On the other hand, if the Indian Government is sure that the Kashmiris are against such integration, why are we forcing our will on them? In any case, a plebiscite is called for, the more so because the Security Council has voted with an overwhelming majority for it."

Truth may be eclipsed but it cannot perish; the fact is that India is profoundly diffident about the election victory; they are so mortally afraid of the vote

that Nehru, in November 1954, said in the course of a letter to the Pakistan Prime Minister, "one cannot go by the results of plebiscite completely because *some absurd results might follow*." India's patent excuse was that plebiscite in Kashmir was not possible until 'normal life is restored'. And, when, 'complete peace comes to prevail in the valley', they would perhaps say that there is no need for a plebiscite. Thus, the threat of peace in Kashmir is as grave as a state of lawlessness! Ridiculously enough, even India may be as scared of 'provoking peace' as she has always been fearful of another uprising in the State. If it is all quiet on the Kashmir front, she is bound by international commitments to hold a plebiscite; if there is no end to disorder and disturbances in the State, she incurs the risk of losing her face as the demand for plebiscite gains further momentum. Thus, India has to be as much disinterested in an 'all-out peace' as she is apprehensive of an 'all-out war'. But the fact is that there can be no peace in the State; new challenges are already looming over the horizon of Kashmir. For India, things are again getting out of hand; the crack of doom sounds audibly near; the people of Kashmir are no longer afraid of 'going over the brink.' They have been living all these years in a state of trauma but they have proved that they have never been committed to the status quo in Kashmir. In the opinion of a foreign observer, "the issue is on the verge of being stirred up once again not by the Indians, not by Pakistanis but by the Kashmiris themselves".

At a representative convention of Kashmiris, Sheikh Abdullah proclaimed, in a hard-hitting speech,

that "freedom will not fall from the skies. It will come when hundreds of young men get hanged on the scaffold". They openly advocate a people's war and a revolutionary movement on the pattern of Al-Fateh, the Algerians and Vietnamese. They have declared their right to start an armed revolt and prepare for guerilla warfare not only to crush the occupation forces but 'to destroy the economic structure of India.' The freedom struggle of Kashmir has entered a new and decisive phase ; the convention has given Indian leaders cold feet; they know that another cycle of violence can touch off the direst trouble but they have deliberately pulled wool over their own eyes after throwing dust in them. They have cut off all communication lines ; the idea is to isolate Abdullah ; this strategy of silence has even been adopted by leading organs of Indian public opinion. For the time being they can perhaps ignore him but they cannot ignore all that Abdullah means and represents to his people. They cannot run away from the real issue, if only they could see the imminence of catastrophe.

Will they ever realize that Kashmir is one of those human and international problems that won't easily go away. Eighteen years ago, *Christian Science Monitor* warned: 'The storm clouds which might spell the outbreak of World War III are gathering over the beautiful Vale of Kashmir, famed in song and story.' *The Observer* of London has signalled that 'the situation in the State of Jammu and Kashmir is more dangerous and more important than the situation in Vietnam.' *The New York Herald Tribune* has pinpointed "the grave danger of maintaining a time bomb in the foothills of

Himalayas, a time bomb that could blow up all of Asia and shake the world." An old Indian political worker has characterised Kashmir as a "garland of razors round India's neck which cuts and bleeds". But they still think that there is nothing wrong with Kashmir which is safe in India's hands. Perhaps; but it is no more safe than the kid given by its mother to a jackal for safe-keeping. India has exposed itself before the world as a house of hate, hysteria and hypocrisy.

How long can India conceal the dangerous dimensions of the Kashmir dispute? The whole world has sifted categories of right and wrong in Kashmir but India continues to stick to the State's 'legal status' and assert that 'sovereignty is indivisible'. It is a typical political dodge to say one thing to foreigners and another to your own countrymen. Nehru once admitted that India was entrapped after referring the Kashmir dispute to the United Nations and 'it was not possible to say when we shall be free from this entanglement'. If Kashmir is a snare for India, they shall only be free when they realise the futility of the use of force. Kalhana, a twelfth century Hindu Kashmiri writer, had an intuitive conviction that "this country may be conquered by the force of spiritual merits but not by forces of soldiers." In Burke's memorable words: "People are not governed who are perpetually to be put down". Today, India is holding the Kashmiri Muslims by the throat; the whole mechanism of their government is geared to the fulfilment of purposes which are fatal to the wishes and welfare of the people. India's pathetic citadel of power is built on the persecution of the

majority population in Kashmir. There is not a single thinking Muslim adult in Kashmir 'who has not thought that he might get shot'. Perhaps the law of the jungle cannot cover the barbaric behaviour of men who profess to represent an ancient civilization. The enormity of India's crime in Kashmir has few parallels in contemporary history. What is most disturbing is that they always offer a new grimmick and never pause to assess the consequences of their involvement and brutal tyrannies in Kashmir.

Mrs. Pandit, Nehru's sister, has urged that "there must be vision—a third eye—behind a policy." The problem of Kashmir should not be beyond their vision if only they could free their minds from obfuscation and show the requisite imaginative insight and political sagacity. It will be the supreme moment of truth for India when it dawns upon her leaders that holding Kashmir by force is immeasurably more difficult than accepting and implementing UN resolutions. Every day, Kashmir is becoming an ungovernable land for India. One day, the convergence of problems, created by her colonial rule, will pose a challenge such as she has never faced or imagined in the past. Even if they are never bitten by the worm of conscience, one day, they will be shoved up against impending realities and realise the deadly sin of keeping a people in slavery. Time does not take sides; one day, India will be totally drained by the evil of ruling a people who do not want to be ruled by it.

—o-: END :-o—

APPENDICES

APPENDIX I

The reign of terror in Kashmir began as long ago as 1846, when the British sold the State to an upstart-tyrant. The Dogras continued to be despotic masters of the State till 1947; their monstrous acts, spread over a century of misrule, have been partially unmasked in chapter I of the book. This appendix is largely confined to atrocities committed during 1947 and subsequent years. The great Jammu massacre, immediately after partition, was one of the bloodiest in recent history. The killing and intimidation of Muslims continued intermittently until 1965 when, in the wake of the freedom-fighters, the Indian army, police and militant Hindu groups resorted to wholesale slaughter of the majority population.

Statements of some of the actual victims or eye-witnesses are documented here. Except for punctuation, here and there, these stories (released for the first time) have not been edited: a victim's version, in his own words, deserves to be reproduced as it is recorded. This is by no means a comprehensive coverage of their crime-sheet and much have been left out as it would have been far too unpleasant for a great many readers. The object is only to prove the case for genocide in Kashmir and not to present gruesome details or multiply tragic tales. There is also enough photographic record and evidence to prove that they did not spare instruments of torture and violence. The author has seen hundreds of these photographs but they are a little too ghastly for the general public : only a few were considered 'fit to print' in this part of the book.

CATALOGUE OF CRIMES

In October and November 1947, while the liberation movement was gaining ground in Poonch area and Muzaffarabad district, the RSS, the Dogras, the Sikhs and the Indian Army were out in force, massacring the Muslims in Jammu. The Muslims in Jammu had become alarmed at the fury with which rioting had engulfed the whole of East Punjab. They felt extremely nervous as September 1947 drew to an end. About 1,200 Muslims crossed the border into Pakistan as refugees. From about 20 October, Muslims in large numbers started pouring into Sialkot district in a miserable condition and they all had the same story to tell. The local non-Muslim population had been given arms and, with the assistance of RSS, Sikhs and other hostile elements, they had attacked village after village and had, on occasions, the active support of the State police and the Dogra army. As the Muslims departed, their houses were burnt and looted and unarmed helpless caravans were attacked on their way to the Pakistan border. Abduction of young girls, arson and loot, was a common feature of these raids and the depredations had the same pattern all over the Jammu province. Just before the large-scale massacres in the province got under way, the Maharaja himself toured the villages with truck-loads of arms and ammunition following him, and personally held consultations with the local officials, distributed arms and in some cases fired the first shot. He was seen on this mission in Akhnur, Bhimbar and Jammu Tehsils and later in Samba and Kathua Tehsils.

The attacks on the villages began about the middle of October. In the Reasi district, the rural population fled terror-stricken to the town of Reasi where, on November 4, a gun was installed by the State troops opposite Kashmiri Mohalla. Sikh soldiers took up positions on top of Prem Nath Autar Nath's house and machinegun

artillery fire commenced in the afternoon. Two prominent Muslims who had gone to see Thakur Gowardhan Singh, the Collector, were shot dead by him in the court. Notorious criminals were released from jail to participate in the attacks. Heavy casualties were inflicted during the general massacre that ensued and only young women were spared. Those girls who could not walk were thrown into the river Chenab and the rest were taken to Bhaberwali Rakh. At least 4,000 Muslims were killed in Reasi town alone. The number of dead in the surrounding villages is not known.

Kathua was visited by the Maharaja on 20 October, along with Mehr Chand Mahajan, the Prime Minister. Interviews were given to Hindus and were refused to Muslims who were looking for protection. After his tour, anti-Muslim feelings rose to a high pitch, particularly in Hirangar and Kathua tehsils. Attacks on an extensive scale were made on Muslim villages by armed mobs assisted by Dogra troops. At first the Muslims were refused permission to evacuate. On 22 October 6,000 of them assembled at village Moola Talab; Rs. 7,000 were taken from them as cost of safe escort to Pakistan. The convoy was attacked twice on the way. There were very few survivors. In Mirpur district, the Maharaja paid a visit on 20 October. He was accompanied by Dogra troops. The Maharaja ordered fire, whereupon armed mobs indulged in ruthless slaughter. Dogra troops and other lawless elements spread out into the district, specially in Tehsil Bhimbar, Manawar, Mirpur and Kotli, and massacred the Muslim population.

Terror-stricken people in thousands left their villages helter-skelter and collected for safety at central points (misnamed 'camps' for there were no arrangements for food or water) or formed convoys and fled towards Pakistan. This, however, did not save their lives. A convoy of 20,000 from Kathua was attacked by Dogra troops, RSS gangs, INA personnel and armed civilian mobs before the very eyes of the Maharaja on 20 October. Thousands were put to the sword and killed by rifle fire. Refugees who had assembled at Naryana near Dev Batala were attacked by armed hordes and when a Muslim approached the Maharaja, he fell a victim to the royal bullet. About 12,000 refugees collected at the Jammu aerodrome early in

November were machine-gunned. Four thousand died and another 2,000 were made the target of four hand-grenades which were thrown at them when they were asleep. Refugee camps at Dagiana and Balbiana were attacked, with the help of guards. On 17 October, the Muslim population of Ranbir Singh Pura tehsil—men, women and children—ran for safety to the Government Electric Power House at Miran Sahib. "At the camp", says a refugee, "we were given no water, no rations, nor were we allowed to go anywhere. The camp was surrounded on all sides by the military who used to come into the camp at night and forcibly take away young women for adultery, which they committed behind nearby trees and bushes." Mehr Chand Mahajan, the Dewan of the State, arrived on the scene accompanied by Bharat Bhusan, the local Tahsildar and an active member of the RSS. The Dewan assured the people, numbering over 25,000, of their safety but no sooner had he left them than armed mobs and Dogra troops fell on them. Only about 10,000 escaped. On 19 October, a convoy of 30,000 Muslims who were marching on foot were halted near the Jammu-Tawi Station and were machine-gunned by Dogra troops. There are details in the accounts maintained by some refugees that sometimes bring out the horror and calculated brutality of the attacks quite unintentionally: "Indian military jeeps surrounded us and lit up our convoy from all sides with the head-lights of their cars. Two hundred girls were abducted . . . . . ."

SHOCKING AND SHAMEFUL

What happened in this town, the Maharaja's capital, beggars description and no pen can improve on the story as related by the eye-witnesses themselves. No introductory remarks are necessary; here is the first account: "On 15 October 1947, I was coming to Sialkot but was detained at Suchetgarh by the officials of the Customs Department and the State Military. They said that I could not cross the border without the permission of the Governor. I had no alternative but to return home. I was actually pushed back by the soldiers and the Custom Department's peons. On 17 October, in the whole countryside around the Jammu city, the RSS parties and the military started systematic looting, burning, kidnap-ping and slaughtering campaign. The whole thing started so suddenly

and simultaneously in every part of the countryside that one could not help thinking that everything had been carefully worked out before making a start. Very few people could escape to Jammu city from the countryside. They were killed either in their villages or on their way to Jammu city. Young women were kidnapped but the older ones were done away with. Most of the refugees were wounded, absolutely penniless and in rags. The city Muslims rendered all help they could, but they too had become panic-stricken as the murderers closed in on them after clearing the countryside. The next step of the marauders was to exterminate about twentyfive thousand 'beldars' (road builders and labourers, etc.) near the Railway Station, Jammu city, by rifle and machinegun fire. The next victims for slaughter were the labourers in Miran Sahib Rosin and turpentine factory about seven miles from Jammu. The loss of Muslim life there was no less than nearly nine thousand persons. A lull followed but for only two days and we began to think that the marauders had called a halt to their murdering and plundering exploits. Two days later, Muslim houses situated in predominantly Hindu mohallas of Jammu city came in for attack. Only a few could reach safely. The rest were killed. Then they turned their attention to Jogi Darwaza, Mohalla Darugaran and Jalaka Mohalla. At first the State military started firing on the houses, shattering windows and doors and then forced entry in the houses and began robbing the inmates and dragging away the girls. The slightest resistance or reluctance to obey their orders was punished by a bullet or a bayonet without any hesitation. The frightened lot of Muslims began to stampede out of their homes and flee to Mohalla Dalpatian, Pir Mitha and Bazar Qasaban. In short, all the surviving Muslims gathered in these three mohallas. This happened before the Id-ul-zaha festival which fell on 25 October.

"On the night preceding the Id, these three localities were subjected to an attack. These mohallas are surrounded by Hindu population who possess the tallest houses in the town. All these houses were veritable fortresses fully equipped with long range rifles, modern automatic weapons, hand-grenades and incendiaries. The low lying Muslim houses in the centre provided easy enough targets and

and all the Muslim residents were encircled by the enemy without any way of escape. The day of Id, and the following night and day, resounded with terrible firing and there was not a minute's respite. On Tuesday, the day following the Id, a car fitted with a loudspeaker broadcast that peace had been restored in the city, that the Muslims should return to their homes and that no disturbance was likely to occur henceforth. The firing ceased except for an occasional shot, but the terrified survivors did not return to their homes. The same night Mohalla Mastgarh, another Muslim Mohalla, was set on fire. The Muslims who had gone to extinguish the fire, were shot at. On the day of Id, we had been told by a Gurkha Jamadar whom I can identify at sight, that if we flew the State flags from our house-tops we would be safe. Everybody did so, but to our grief we came to know later that this was a ruse to single out Muslim houses. No Hindu house had any flag on it. After the evening of the 26th, a comparative calm followed. A Muslim deputation waited on the Prime Minister, Mr. Mahajan, and requested him to arrange for the safe evacuation of the surviving Muslims to the Pakistan territory. He gave the deputation to understand that he was prepared to ask the military for the evacuation of Muslims but could not accept the responsibility for their safety. I was also a member of the deputation which included Captain Mian Nasir-ud-Din (now under arrest), a retired official and four others whose names I don't remember. We returned to our homes undecided. Some of the leading Muslims including the said Captain conveyed the message that the State Government were, doubtful of our loyalty and feared a recrudescence of trouble at our hands. Therefore, in order to be sure of the loyalty and goodwill the authorities wanted us to deposit the weapons which in fact had long ago been confiscated. The Muslims could not even go about with hockey sticks. The students going for play were made to hand over their sticks on pain of arrest while the Hindus could go about carrying swords and even guns. Under these circumstances, we could not have dared to keep any weapons and we, therefore, invited the authorities to search our houses.

"About four days after Id, Captain Nasir-ud-Din was sent for at the Prime Minister's residence, where he was told to convey

to the Muslims that they should be ready with one bedding and trunk each to depart at short notice. The Muslims had put a request through the Captain for an interview with Sheikh Abdullah or with His Highness or any responsible person of the Pakistan Government, but it was not acceded to. On the other hand, a threat was given that non-compliance of the eviction order would absolve the State of any responsibility for our safety. The Captain conveyed this to us later in the night and the next morning, at about 8.00 a.m., a lorry with a loudspeaker broadcast the order to Muslims to gather at the Police Lines at 9 a.m. It was Wednesday the 5th of November. Accordingly, we Muslims, began to collect at the Police Lines where everybody's person and luggage were searched. Even some of the women were not spared. Every valuable article, like ornaments, cash, watches, pens, bicycles and radio sets, was taken into possession. This search was conducted jointly by the military and the police. Next we were ordered to shift to the ground where about 50 lorries were parked. About 35 lorries were loaded beyond capacity and started at about 3 p.m. I do not know where these lorries were driven to, because I did not board any and stayed back. About 10,000 people remained behind in that ground and had to wait without food and water for the next convoy. On Thursday, the fate of last day's convoy being unknown, we were reluctant to board the next conyoy of 25 vehicles. I did not board any vehicle in this convoy. These lorries left by about 11 a.m. (Thursday) and their destination too was not known. On the night between Thursday and Friday while I was asleep in the same ground I was awakened by the impact of a man on my body. I jumped up and, to my surprise, saw a stark naked person. He asked about my uncle, Sh. Mohammad Amin, a worker of the Muslim Conference, and informed us that the lorries which had left on Thursday were taken towards the Kathua side and halted on the Ranber canal bridge about two miles from Jammu Cantonment. The refugees therein were being slaughtered and women dragged away. On Friday morning some more lorries came and people got into them but a leading Muslim citizen named Ghulam Pehalwan asked everybody to get down. A deputation headed by Captain Nasir-ud-Din waited on Kanwar Sir Dalip Singh, a representative of the Indian Union. He told the deputation that the

Muslims would have to vacate the State sooner or later. As a result of deputation's protest, the military of the Indian Union was commissioned for the escort of vehicles. No convoy left Jammu on Friday. On Saturday at obout 4 p.m. a convoy of six lorries left Jammu and returned at about 7 p.m. On Sunday, the 7th of November, I too left with a convoy of 11 lorries at about 8 a.m."

SAVAGE TYRANNIES

The second eye-witness reported :

"Owing to frequent attacks by Sangh people on our houses in Mohalla Mastgarh I, along with my familly members, had shifted to the house of Shaikh Jan Mohammad, in Mohalla Jiwan Shah. Many Muslim families from mixed mohallas or from isolated places had done the same. Muslims had concentrated in the adjoining Muslim mohallas—Talab Khatikan, Jewan Shah and Bazar Qasaban. These mohallas were gradually but completely encircled by military posts and morchas of the RSS. The RSS had in those days been fully armed and reinforced by members from outside the State. Many unfamiliar faces, especially Sikhs of tall stature and dark complexion, were seen collaborating with them. They were said to be from Eastern Punjab and Sikh States. The circle of these morchas was steadily being narrowed every day. It had now transformed our mohallas practically into a camp. On the west we could not go beyond Urdu bazar and on the eastern and southern sides our limits of excursions were Residency and Wazarat roads. Conditions prevailing in this so-called 'camp' were deplorable. Electric and water supply were both most irregular and insufficient and so were the rations. There were no sanitary arrangements. Sweepers and sanitary staff were not allowed by the military to enter the area. We were cleaning latrines and drains ourselves. There were about 250 wounded persons mostly from villages. These wounded villagers who had succeeded in reaching the city related heart-rending accounts of the general and wholesale massacre of the Muslim population of their villages—how their kith and kin had been murdered brutally, their houses set on fire and at places whole families annihilated. I along with Dr. Rehmat Ullah

and a few compounders used to dress these unfortunate persons, at the risk of our own lives because shooting and sniping was at times very violent. We possessed very little dressing material but we were doing our best with certain improvised articles at our disposal. The firing from morchas increased day by day. We were completely cut off from Muslims in Mohalla Ustad and Mohalla Jowlakha. At times the firing became so intense that it was impossible to walk about in the lanes or to go up on the roofs of our houses. Many persons were wounded or succumbed to the bullets coming in from all directions. We received news of the slaughter of about 300 persons (mostly Muslim refugees from villages), who had taken refuge in Mohalla Darugaran. Next day we learnt of the massacre of more than 150 persons in the house of Babu Abdul Hamid, an overseer. Only one person named Ibrahim Gujjar was able to contact us in a severely-wounded condition out of the unfortunate 150 in the house. He had three sword cuts on his neck and two on his back. He managed to escape when dead bodies from the house were being removed in military trucks. A few days later, the circle was further tightened and the morchas were now nearer. About 40 persons were slaughtered in Jewan Shah Tomb. The Muslims had now been practically cornered in a few houses with the house of Sh. Jan Mohammad at the centre. There was great panic. Innumerable persons at this camp had already been butchered. The end of all the besieged looked near. Just at this time an order by the District Magistrate was announced according to which all firing was to cease. Muslims were accused of possessing a large quantity of arms and ammunition. They were directed to deposit all arms and ammunition with the Government before 10 o'clock next day. In the announcement it was further promised that those who wanted to leave the State would be given safe passage.

"A few days later, on 25 November 1947, Wednesday, when the general atmosphere appeared somewhat calm, we were asked to vacate our houses and report to the Police Lines before 9 a.m. This was announced from the loudspeakers of a police van. Accordingly, we reached the place with whatever little belongings we could carry, leaving everything else in our houses. In the grounds adjoining the

Police Lines we lay with our kith and kin. Here a thorough search was conducted by the police and the military. Even a pair of small scissors which I had in my hand-case was confiscated. At about 12, lorries began to reach the camp and included some military trucks. In all 39 lorries, each carrying about 70/80 persons, left the camp at about 2 p.m. Each lorry had a military man as escort. The convoy carried away about 3,000 persons. Two of my younger brothers and my elder son with four suitcases and two beddings succeeded in climbing on the roofs of the trucks. Suchetgarh is about 18 miles from Jammu ; we expected the trucks to be back by 4 or at the most by 5 p.m., but none came back that day. We made enquiries from the police, the military and other persons but were given vague and various explanations. Doubt lurked in our minds. We could not make contact with persons outside the camp. The Indian Military were seen all around us. In the camp, we had nothing to eat. There was no water supply. We passed the night without food and water. Next day, on 6 November, Thursday, at about 8 a.m., trucks appeared but, as we came to know afterwards, these were not the same as had gone with the convoy the day before. I, along with my family members, 22 in all, succeeded in getting into three different trucks. The trucks were 26 in all. This day the lorries carried no separate escort but there was a jeep carrying Dogra military men in the rear and a lorry full of Indian Military men wearing red caps, and with the mark 'Rajput' on their shoulders. When the convoy left the city we noticed people armed with swords, axes and spears on both sides of the road. From Tawi bridge many gangs of these armed persons could be seen in the sandy bed on both sides of the river. These gangs were heading in a southerly direction. When we reached Satwari Cantonment, instead of driving straight towards Suchetgarh, our lorries were turned towards the left on a kacha road along the canal bank, in the direction of Bishua. The armed gangs, now many more in number, could be seen all around us. After going for some distance on this road, the lorries were halted. The military men in the jeep went ahead and came back after sometime. We were much perturbed to find that the direct route to our destination had been abandoned. We made enquiries from the military men and were told that the road

near Biloul Nallah was not in a fit condition and that we would be taken to Miran Sahab through Pandalian. According to another military man there was danger of an attack near Miran Sahab: so we were being taken by a safer route. We tried to come out of the lorries but the military men objected to it and threatened to fire if we attempted to come down from the lorries. When the convoy was thus halted we saw two lorries full of RSS people going on the Samba road on our left. As we came to know afterwards, the convoy was halted because the number of attackers was not sufficient to attack the convoy and the Sangh people were now being sent in lorries to the places fixed for onslaught. After sometime, the convoy started. As we proceeded on the road, the number of gangs increased. Many were hiding behind bushes and long grass and cactus plants. After going up for a mile or so all the 26 trucks were halted on either side of a bridge on the left side of which was the canal and on the right a steep slope. There was a military truck in front of the convoy and a jeep carrying Dogra military men at the tail end. Soon after this, the military men came out of their vehicles and took up positions. One Indian military man came up to the bridge and began to fire with a bren-gun. It appeared to me that it was a signal to the gangs to start the attack, because soon after the firing, they started on the lorries and nobody out of the attackers was seen following. The attack started from the rear and soon spread all over the convoy. Attackers climbed up the lorries and surrounded them completely. Swords, axes and spears were freely used. Men, women, and children were hacked to pieces. Shrieks of young women and girls who were being forcibly dragged by the gangsters could be heard from almost all the lorries. The attackers were striking most violently and mercilessly. Small children were lifted by one arm and cut into pieces. Wounded and dead children were being thrown into the canal. Some with spears were attacking the lorries from the sides through windows and doors. The lorry which I was occupying was in this row. The attack started from the rear and Muslims who tried to flee were shot at by the military. Soon our own lorry was surrounded on all sides by the attackers—mostly Sikhs—probably not belonging to the State. My two sisters were snatched away from us. My aunts who tried to hold them back were given spear thrusts

and done to death. My two uncles and my daughter aged about 8 years were killed on the spot. One of my sisters who was pregnant received a sword cut on her abdomen and lay by the side of the lorry. I received five or six spear thrusts on my left shoulder and back. While I was still in the lorry and was trying to come out and projected my head out of the back door of the lorry I received an axe cut on my head. This made me unconscious for sometime. I fell with my face downward just behind the lorry. After sometime, I saw the road and the canal bank full of dead and wounded men, women and children, not less than one thousand in number. Shrieks of young women could still be heard far and near. My wife and young son and the wife of my elder brother were also wounded but were alive. Twelve members of my family in that lorry were seen lying dead by our sides among many other dead bodies. The injury on my head which had made me unconscious saved my life. I was taken to be dead. During this unconscious state I was searched by the gangs. My purse and everything in my pockets, even my stethoscope, was removed. Even after gaining consciousness, I lay in the same position. I saw Sikhs, Dogras as well as Indian military men, looting the lorries and firing at the Muslims who tried to hide themselves in the canal or in the grass and bushes or tried to run away from the place. This continued for a pretty long time. In the evening, when the whole business was practically over, the military men became apparently sympathetic and asked the people who were wounded or hiding near about to get into the lorries. I, along with six out of the total of 22 members of our family, managed to climb the lorries—one of my uncles and one sister (pregnant) who were wounded and were still alive but could not get into the lorries, had to be abandoned on the road to die. After the wounded and the remaining persons had entered the lorries, we were carried to the Cantonment and Civil Hospitals (twice to each place) but, excepting myself and the half-alive members of my family who were taken to the hospital by the M.S., all others were removed (I afterwards learnt) to the Dagiana camp where, for days, they were neither fed nor dressed. Many, especially children, succumbed to the injuries. I learnt that except those in the camps, every one knew that the convoys were to be attacked and not a single soul was to

be spared . . and that the RSS people, imported Sikhs and military men in plain clothes were being sent to the places, selected for attacks since 5 a.m., in jeeps and military trucks. The gangs who attacked the convoy on 6 November (Thursday) were composed of RSS men, Achuts and Sikhs who came from East Punjab and did not apparently belong to the State. They were armed with spears, swords, axes and a few with guns."

The convoys were attacked on 5 and 6 November. Sardar Vallabhai Patel, Deputy Prime Minister and Sardar Baldev Singh, Defence Minister of India, visited Jammu on the 4th, the date on which the offer of safe escort to Pakistan was announced to the beleaguered Muslims of Jammu through loudspeakers. At that time no "desperadoes from the tribal territory" had appeared on the horizon of the Province of Jammu and the Indian Army had been in Kashmir for a week.

G. K. Reddy Editor "Kashmir Times" said about his stay in Jammu :

"The mad orgy of Dogra violence against unarmed Muslims should put any self-respecting human being to shame. I saw armed bands, ruffians and soldiers shooting down and hacking to pieces helpless Muslim rufugees heading towards Pakistan.

My pain and agony was heightened by what I saw at the village of Rajpura where the State officials and military officers were directing a huge armed mob against a Muslim refugees convoy and got it routed. State officials freely distributed arms and ammunitions among the Dogras.

From the hotal room where I was detained in Jammu, I counted as many as 24 villages burning one night and all through the night rattling fire of automatic weapons could be heard from the surrounding refugee camps."

Colonel J.M.B.C. Plowden, Registrar, British Red Cross Society, had examined atrocity victims before they were admitted to Hospital and, regarding one of them, he reported : "Briefly, the victim stated that, having been captured by Gurkha troops, he was

tied up in a tree all night. In the morning he was made to dig a trench until about mid-day. He was given no food or drink. He was then taken before a Sikh Lieut.-Colonel who questioned him and then ordered a party of about 20 of his Gurkhas to take him to "Pakistan Nullah," or the place of execution.

"Having been taken there he was beaten and slashed, with kukris. He was then thrown in a ditch and covered with stones. Later in the night he recovered consciousness and managed to make his way back to his village. A companion with him did not survive this treatment, and the man said he saw other corpses of killed persons in the same ditch. I inspected the man's scars. He had seven in all, and they appeared definitely to have been caused by kukri wounds. The incident, he said, took place about two miles west of Rajauri town. He gave the date, but I cannot now recollect it."

UNBEARABLE TORTURES

A very highly-placed neutral observer said : The most dreadful evidence I witnessed with my own eyes when I was hurriedly bundled into a jeep and taken to the Kathua border adjoining Pakistan territory.

In a sparsely harvested wheat field I saw the mangled remnants of human flesh lying splattered across a large area. The bodies had been crushed under tank caterpillars, the marks of which were visibly leading away from Pakistan territory.

In the Civil Hospital at Gujrat I saw an atrocity victim who had miraculously escaped from Rajouri and he recounted his awful story. His neck and body had been slashed to ribbons and two big wounds showed on his wrist where he had been bound tightly before being submitted to torture—as the medical officer confirmed—by kukris and bayonets.

ANOTHER FACTUAL REPORT

And here is a factual report jointly submitted by two foreigners who visited the subcontinent and were commissioned for this purpose by the Governments of India and Pakistan :

"On the morning of November 5, it was announced by beat of drum in Jammu city, in the name of His Highness the Maharaja, that all Muslims must immediately leave the State, and that, in fact, Pakistan had asked for them. They were instructed to assemble at the parade ground in Jammu. Conducted from there to the Police Lines, they were searched, deprived of most of their belongings and loaded on motor lorry convoys. They were told that they would be sent to Suchetgarh but instead the convoys took the Kathua Road and halted at Mawa, where the passengers were told to get down.

"At Mawa, the lorry drivers, who were Sikhs and armed to the teeth, removed all the young women from the convoys and began to attack the remainder. The Kashmir State troops looked on indifferently while the mobs of Sikhs and Hindus were killing the Muslims.

"Out of the four thousand Muslims, who had left Jammu, only nine hundred managed to reach Sialkot, in Pakistan.

"A convoy of seventy trucks, containing most of the respectable Muslim families of Jammu city, left for Suchetgarh on November 6. A few miles out of the city, the trucks were halted and were attacked by armed jathas of Sikhs and State troops and volunteers of the Rashtrya Swayam Sewak Sangh.

"During the beginning of October, 1947, about fourteen thousand Muslims living in Sambha were besieged by armed Hindus and Sikhs who cut off the rations and water-supply of the villages. On October 23, Sambha village was visited by His Highness the Maharaja himself, and almost immediately after his visit, all the Muslim women in the village were taken away by State troops, and the men were slaughtered with the exception of fifteen survivors, who escaped to Sialkot. About eight thousand Muslims assembled at the Bulla Tank near Kathua on October 20, after their request for protection had been ignored by the sub-divisional magistrate of Kathua. After marching three miles towards the Pakistan border, they were encircled by Dogra troops and armed Sikh civilians, and all of them were slaughtered with the exception of forty persons, who managed to escape to Sialkot.

"On the instructions of the State Government, about twentyfive thousand Muslims from Miran Sahib area collected at Maogaon to be evacuated to Pakistan. But as they were doing so, their women and all their personal belongings were taken away from them by Dogra troops, and the rest made to stand in a line, whereupon they were riddled with machine-gun bullets. Only one hundred of them escaped, hiding in maize fields."

1965 : A POIGNANT SUMMER

The Indo-Pakistan war which broke out on September 6 came to an end after seventeen days. Immediately afterwards India started evicting Muslim population from across the cease-fire line in Kashmir. Thousands of Kashmiri Muslims were uprooted from their homes and pushed into Azad Kashmir. The refugees had absolutely no household belongings with them. Many of them were half-naked or in rags and quite a number of these homeless people were wounded, crippled and carried on their bodies marks of torture.

In addition to their unbearable misery they also brought with them hair-raising tales of systematic massacres, of villages set ablaze, of human beings burnt alive, of tortures, rape and abduction. These atrocities were committed by the Indian army, Indian police forces and militias and volunteers of Jan Sangh, a militant Hindu organization. Shocking incidents took place almost everywhere in Indian occupied Kashmir but Batmalu in Srinagar, Rajouri, Mendhar and the entire belt adjoining the cease-fire line suffered the most. The main purpose of this wholesale massacre and eviction of Muslims was to intimidate the freedom fighters and to make room for Hindu settlers.

Approximately, 90,000 Muslims crossed the cease-fire line into Pakistan. Is it estimated that nearly 10,500 persons, including men, women and children, were killed in about ninety villages in 1965 alone. Women were brutally raped. The number of young girls abducted by Indian army is about 4,687. Their fate is not known.

Atrocities of exactly the same character but of greater magnitude had been perpetrated on Muslims in 1947 and intermittently during the ensuing years. The very presence of 6,00,000 Kashmiri Muslim refugees in banishment both in Pakistan and Azad Kashmir

is a living and irrefutable evidence of brutal Indian aggression. All these refugees have been parted from their kith and kin and deprived of their belongings. Most of them have lost their near and dear ones and have suffered physical and mental torture before they were pushed into Pakistan. This part of the appendix is largely confined to the atrocities committed by the Indian army and its collaborators on the Kashmiri Muslims before, during and after Indo-Pakistani conflict in 1965. It is based on signed and tape-recorded statements of the refugees.

Statement of Haji Fazal Hussain, son of Ch. Faiz Mohammad, resident of Prodi Gojran, District Poonch; age 36 years

I was a worker of Jammu and Kashmir Plebiscite Front and remained, as such, actively associated with the freedom movement. In this connection, I have had opportunities of meeting Sher-i-Kashmir, Sheikh Mohammad Abdullah, Maulana Masudi and Maulvi Farooq and took necessary instructions from them.

Ch. Fazal Hussain further deposed that after Indo-Pak cease-fire, which took place on 23-9-1965, the Indian tirade did not cease. On the contrary it was intensified. The cease-fire gave them a further opportunity to disengage troops from Pakistan and augment the existing force in Kashmir. Under the circumstances we were compelled to withdraw. He said, "on our withdrawal, the Indian authorities resorted to indiscriminate killing of civilian population on a large scale. A cash award of Rs. 15,000.00 was announced for arresting me. I was, therefore, compelled to flee alongwith some of the members of my family. I crossed over Nakyal via Kanga Gali and am now residing at Mirpur. Subsequent reports and fresh arrivals have confirmed about 41 persons of my family including my five brothers were ruthlessly killed; 48 members of my family including 3 male survivors who somehow managed to escape the murder reached Mirpur for refuge".

Statement of Ch. Mohammad Maqbool Raza, Development Officer of Rajouri, son of Ch. Khan Mulikh, District Poonch; age 26 years

Narrating his story he stated that he belonged to a respectable family. His grandfather, Ch. Diwan Ali, was one of the famous political leaders of Rajouri and Akhnoor. During the War of Liberation 172 persons of his family had been slaughtered by the Jansanghis. The Provisional Government set up by the freedom fighters in 1947 could not but last for six months only for want of reinforcement in time. It was, therefore, recaptured by the Dogra Indian forces. He and his family migrated to Pakistan. He participated in the Kashmir Liberation Movement launched by the veteran Kashmiri Leader, Ch. Ghulam Abbas. Later on he crossed over to Rajouri and settled there. In 1962 he contested an Assembly seat there as an Independent candidate. Although he had full backing of his community, the official nominee of Bakhshi Ghulam Mohammad, the then Prime Minister of the India-held Kashmir, got his nomination papers rejected on the ground that he was a pro-Pakistani. He wanted to go in for an appeal against this but as soon as he reached Jammu, he was arrested and imprisoned in Hazuri Bagh Special Jail.

The people of his area protested against this illegal arrest and he was released on parole. He then took up service and was offered a post of Welfare Officer at Kathua. But very soon he realised that the local Jansanghis and followers of Guru Gowalkar were working against the Muslims. Since he was a muslim with pro-Pakistani leanings, the Jansanghis launched demonstrations against him which resulted in his transfer. He was then appointed Block Development Officer in the Community Development and Agriculture Department.

In the meantime, India took some reckless and unilateral decisions to abrogate section 370 of the Indian Constitution which gave Occupied Kashmir a special status. Indian laws were extended to Occupied Kashmir thus virtually merging it with India. These flagrant and provocative measures compelled Kashmiris to rise in open revolt

against India. A state-wide movement followed to which Rajouri Tehsil was no exception. In Rajouri, it was Haji Fazal Hussain of Parori Gujran who took the initiative and raised the banner of revolt. He called a secret meeting of prominent political workers and urged them to rise to the occasion in self-defence.

There was an enthusiastic popular response to this call. The people of Rajouri fought very bravely and offered not only the sacrifice of their property but also of their lives in order to free themselves from Indian shackles. Continuing his painful story he said that about 41 persons from the family of Haji Fazal Hussain were ruthlessly slain by the Indians. After cease-fire, the circumstances took a very serious turn. The Indians withdrew most of their forces from the sectors of Rajasthan, Sialkot and Lahore for deployment in Occupied Kashmir. The freedom fighters were small in number and were not in a position to face the additional might thrown in by the enemy. They had, therefore, no alternative but to withdraw. Thus, after recapturing the lost area, the Indians out of vengeance committed gruesome atrocities on the innocent Muslim civilians. They started burning the Muslims alive in their houses. The eyes of some of them were torn out in order to terrorise others into submission. Thousands of Muslims, he added, have been done to death in Rajouri, Budhal, Kandi, Parori Gujran, Trala Gujran, Dharahl, Thanna and Ram Garh. The streets of Ram Garh were littered with dead bodies. Many Muslims who had been arrested were detained in the Interrogation Centre of Rajouri where they were subjected to inhuman torture. The Indian soldiers and Jansanghis kidnapped hundreds of Muslim girls who have been taken to India. Almost every house was set on fire and all the property looted or destroyed.

He ultimately migrated to Azad Kashmir by crossing Kanga Gali on 27 September, 1965.

Statement of Malik Abdul Rehman Akhtar, Pleader, son of Malik Saeedullah, resident of Dharahl Malikan, District Poonch, age 28 years

He stated that he was in the final year of M.A.LL.B. when he contested for a seat of India-held Kashmir State Assembly. Since during Bakhshi's regime, elections had never been impartial, he did not succeed. After clearing his final he resigned from the Socialist Party because basically he and his family members had pro-Pakistan feelings. He then started his practice at Jammu as a pleader. After one year of his practice at Jammu he shifted to Rajouri.

After the sacred hair was located and reinstalled in Hazratbal shrine, he met Maulana Masoodi who directed him to continue the activities of Action Committee in view of the fresh wave of repression having started against the Muslims living particularly near the cease-fire line.

He further disclosed that during the marriage ceremony in the respectable family of Munshi Abdul Karim, Chairman Panchayat Committee, Dari Lalot, where some women folk of the village had assembled, some Indian soldiers broke into the house on the pretext of their being Pakistani participants in the ceremony. But what they did is that they tied the men with ropes and searched the clothes of women folk present there and humiliated them.

On 9 August when state-wide movement started in Jammu and Kashmir, the local freedom fighters of his area also followed suit. In our very first encounter, the Indian army was driven away from Pari, Kandi and Budhal. Even in Rajouri the enemy troops were besieged by the freedom fighters. Having beaten them out, the Revolutionary Council established its own civil administration. After the cease-fire, India diverted her forces from the sectors of Lahore and Sialkot etc. for deployment in Kashmir. The freedom fighters had, therefore, to withdraw from the liberated areas.

After their retreat, the Indian army resorted to exterminating innocent Muslim population. Thousands of them, including men,

women and children, were mercilessly slain. In Dharhal Malikan alone, at least 700 Muslims were ruthlessly killed and girls kidnapped. Among those who were killed at Dharhal Malikan by the Indians were Maulana Mohammad Hassan, Zaildar Karamatullah and Malik Abdul Rashid. The last mentioned was a Social Education Officer of Mainder and had joined the freedom fighters. Malik Abdul Rashid was also working as a Tehsildar under the Revolutionary Council. In addition to this, Sayed Haider Ali Shah, a famous poet, Sardar Ghulam Din who was one of the staunch workers of Revolutionary Committee were also subjected to mental and physical torture before they were killed.

Continuing he said that Sardar Qudratullah Malik, Ali Bhadore and Summao Khan, members of the Council were arrested and taken to concentration camps at Jammu. All the houses in Dharhal Malikan were looted and 11 Kumaon Regiment, 8 Militia and Central Reserve Police Battalions occupied these houses. Those who were leading the operation from the Indian side were Colonel P.P. Chohan, Lt.-Col. Kanwal Singh etc. After the occupation of this place by the Indians it appeared as if there had never been a single Muslim dweller in the area. It had been reduced into a big graveyard.

Similarly, he stated, that the villages of Kandi, Bhudhal, Somout, Pari, Parori Barought, Ram Garh and Dahonour were burnt to ashes by the Indian gangsters and thousands of Muslims were killed and many more rendered homeless. Continuing he said that, according to an estimate, at least 32,000 Muslims were slain in Rajouri sector and about 6000 arrested and taken to different concentration camps.

He further stated that he and his few campanions in which Ch. Niamatullah, Sardar Faraqullah and Talib Hussain were also included took shelter for 20 days in the thick forests of Margabi at different places where from all of them, later on, crossed the cease-fire line via Nakyal sector and entered into Azad Kashmir.

Statement of Malik Talib Hussain, son of Feroze Ali, resident of Dharhal Malikan, District Poonch; age 38 years

He stated that he was a member of the Plebiscite Front and had worked in this capacity for several years. During the struggle in 1965 he and his colleagues organised volunteers to fight the Indian occupation force and the Jansanghis. The Revolutionary Council had appointed him Joint Secretary of the Revolutionary Committee of Dharhal Malikan. When the enemy attacked Palam, he and his colleagues damaged the link road between Rajouri and Dharhal to prevent the enemy advance. The Indian posts were attacked and army stores seized. However, the freedom fighters were not fully equipped, as the enemy succeeded in recapturing Dharhal Malikan which was one of the local strongholds of the Revolutionary Council.

During the operations Malik Karamatullah, Zaildar, who was a prominent leader and President of the Revolutionary Committee, and his colleagues namely, Maulvi Mohammad Hussian, Malik Abdul Rashid, Naib Tehsildar, and Ali Haider Shah were arrested and subjected to inhuman torture continuously for 8 days. Giving the details of this brutality, he said that they were made to eat red pepper and while streams of tears were gushing out of their eyes and nostrils, they protested against the cruelty but the Indians paid little heed to their protests and requests and severely flogged them until blood began to ooze out of their mouth and other limbs. They become unconscious and fell down on the ground in a very precarious condition. The following day, he continued, when they regained consciousness, they were ordered to surrender all the rifles and produce the so-called infiltrators before them. According to him, the Indian Colonel Kanwal Singh asked them to bring their women also with them but he and Zaildar Karamatullah refused to bow before their meanness. Thereupon both of them were beaten with rifle buts and killed. Their property was looted.

During the visit of the Deputy Minister Anand Saroop and the Cabinet Minister of Occupied Kashmir Mr. Tralochan Datt, the

people demanded that their martyrs should be handed over to them so that they could bury them properly but the request was turned down. Two women namely, Noor Begum and her mother-in-law were openly molested. Mohammad Aslam, the husband of Noor Begum, apprised the local Indian Commander of this highhandedness but he was mercilessly killed alongwith those women. What is more, an award of Rs. 10,000.00 was announced for his arrest. The total loss done to him, according to his statement, comes to Rs. 98,000.00. The deponent, Malik Talib Hussain, further stated that many Muslims of his village were arrested and taken to Rajouri where they were subjected to extreme torture. Under these circumstances he migrated to Azad Kashmir alongwith his 62 family members.

He further stated that in 1947 also the Muslims of Dharhal had raised the banner of revolution against the Dogra Government. The Indian authorities, therefore, looted the property of the Muslim population. The young Muslim girls were kidnapped while the remaining people took refuge in the forests.

Statement of Mohammad Bashir Sartaj, son of Mohammad Abdullah, resident of Dharhal Malikan, District Poonch· age 24 years

He stated that he passed his Matriculation Examination in 1956 and was working as a Copyist in the Judicia Department of India-held Kashmir. He had also worked as Nazir and Clerk in the criminal branch and had completed four years of his service. In the meantime, he passed his F A. Examination privately but even after four years service, his appointment was not confirmed in contravention of the Kashmir Service Regulations. Since he was a Muslim, the Hindu authorities were always harsh to him. He was finally dismissed from service to make room for a Middle-pass Hindu youngman namely, Krishan Lal Datt of Samba, a nominee of Jansanghis. He therefore, became a clerk of a Muslim Pleader in Rajouri because all the doors of Government employment were closed on the Muslims. The differential treatment meted out to Muslims at the hands of Hindu officials was one of the causes of discontent.

The patience of Kashmiris, he stated, was overtaxed and when steps were taken by the Indian colonialists to merge Occupied Kashmir, the Muslims sprang up for direct action against them and fought very bravely in many sectors. They defeated the Indian forces in a number of sectors seizing several Indian important posts in the area.

After the cease-fire India brought more troops into action. The Muslim villages were pillaged and innocent Muslim citizens killed indiscriminately. Thousands of Muslims fell victim to the genocidal operation. An Interrogation Centre was set up at Rajouri for the prisoners under the supervision of Punjab Police.

In view of the above circumstances, he alongwith his mother, brother and a few other relatives crossed the Pir Fazil Picket on 7 November 1965. While the caravan was on its way, his brother died as he was hit by an Indian bomb.

Statement of Wali Dad, son of Choudhry Farman Ali, resident of Dhangri, District Poonch; age 32 years

He stated that he was dubbed as a Pakistani agent. Hindu elements of village Dhangri used to send concocted reports to the Indian army officers accusing his uncle namely, Choudhry Sher Mohammad, of having liaison with the Pakistani forces command. Consequently the Indian army sent 500 soldiers to besiege the village. A machine-gun was installed nearby. The house of Mr. Wali Dad was situated at two furlongs from the forest. All of a sudden the Indian forces opened fire and started shelling the forest. Quite a number of muslims were hauled up and the women folk stripped of their ornaments. Commander of the Indian force openly charged them of indulging in anti-Indian activities and threatened them with dire consequences. His uncle namely, Sher Din and others including Choudhry Nawab Din, Chiri Mohammad, Haji Mohammad Hussain, Mohammad Sharif, Abdul Khaliq, Mistri Mohammad Amin, Nawab Din, Qasim Din, Sohbat Ali and 4 children were killed ; others were rounded up, and brought to Sorul Camp for interrogation. During

the course of interrogation they were put to inhuman torture and were removed to Army Divisional Headquarters at Rajouri for further interrogation. Many of them could not stand the brutality and died on the spot. They include Mohammad Shafi, Alfoo and Chabi. Although some of them were set free but when they reached home they found their houses having been reduced to ashes.

Under these circumstances he and his companions decided to seek refuge in Azad Kashmir and accordingly crossed the cease-fire line.

Statement of Sayed Latif Shah, son of Jafar Shah, resident of Dhanote Jaralan, Poonch; age 36 years

He stated that he was a driver in India-held Kashmir. He was also an active worker of the Plebiscite Front and was President of its local branch. He was associated with Haji Fazal Hussain.

August 9, which is the anniversary of Sher-i-Kashmir Sheikh Mohammad Abdullah's deposition, was fixed for counter-action and when the day came, the people rose in armed revolt to undo the Indian occupation. He was entrusted the job of enlisting freedom fighters in his area which he did in spite of many difficulties.

One day, all of a sudden, the Indian army started firing on the villages of Chowa and Gordhan and killed many Muslims. The Indians also molested many Muslim girls. He further said that he took the people of his village to Kurhad village to join others who had already lined up against Indian troops. They remained engaged in this defensive fight for as long as two months compelling the enemy to withdraw from Dharhal. After Indo-Pak cease-fire, the enemy in a bid to recapture Dharhal, started genociding Muslim population. A number of Muslim girls were abducted. Many Muslims including Choudhry Karamatullah, Zaildar of Dharhal, were killed and their houses including his four houses were burnt. He suffered a loss of Rs. 100,000.

In these circumstances he crossed over to Azad Kashmir via Sohan Gali and is now residing at Mirpur.

Statement of Choudhry Mohammad Alam, son of Pir Bukhsh, resident of Gundwa Budhal, District Poonch; age 30 years

He stated that the local Jansanghi elements were against him because he was running a private school for religious teaching. They contended that in Kashmir, as a part of India, the Muslims could not have that much religious liberty. This interference in the religious affairs was resented by the Muslims. Subsequently the unilateral declaration claiming Kashmir as part of India sparked off a widespread revolt to overthrow the Indian occupation. But when after the cease-fire, the Indian army was disengaged from Sialkot and Lahore sectors, they attacked the areas with greater force. Narrating the story of the atrocities perpetrated on the Muslims, he said that the Indians caught hold of an old Muslim woman and ordered her to put off her clothes. She protested against this shameful and vulgar order but all these protestations fell on deaf ears. She was forcibly raped as a result of which she died. According to him, Hafiz Mian Abdullah, Choudhry Feroze Din, Choudhry Allah Din, Choudhry Chandi, Choudhry Faqir Din were also mercilessly killed. The Indian Jansanghis openly committed rape on young Muslim girls and killed them. A mosque was also desecrated. He further said that his own house was also set on fire.

Statement of Choudhry Akbar, son of Choudhry Karam Din, resident of Bhera, District Poonch; age 53 years

He had been closely associated with the freedom fighters right from 1947. During the recent rebellion the Indian army killed the civil population aided by militant Hindu organizations such as Jan Sangh. He is a witness to this savage drama. Eyes of Mandhi, son of Lala Gujar were torn out and his body was tied up with grass ropes and set on fire. His father was also severely beaten. Baga, son of Din Mohammad, and eight other Muslim residents of Gohland were locked in a house and burnt.

Statement of Sardar Jalal-ud-Din, son of Mukhtiar Khan, resident of Kandi, District Poonch; age 58 years

He said that he had been a member of the Revolutionary Council formed in 1947 and had organised revolutionary committees in the area. The re-arrest of Sheikh Mohammad Abdullah in 1965 created a great stir in the State. Sardar Jalal-ud-Din organised revolutionary committees at many places and made necessary administrative arrangements. A local Muslim volunteer corps had also been raised to deal with the situation. After cease-fire, some of the disengaged Indian forces were diverted from Sialkot and Lahore sectors and deployed in Rajouri sector. A reign of terror was let loose. The civil Muslim population was indiscriminately killed and property was looted and houses burnt. This resulted in the martyrdom of a great number of Muslims including the relatives of Sardar Jalal-ud-Din. Narrating the story of the slaughter of his relatives, Sardar Jalal-ud-Din burst into tears and said that Haji Jalal-ud-Din was killed ruthlessly. His eyes were torn and his right hand was chopped into pieces and later on he was deprived of his legs. This was how he was butchered to death. The same treatment was meted out to Raj Mohammad who was ultimately burnt alive. Continuing he further said that young Muslim girls were forcibly kidnapped, raped and killed.

Statement of Jamal-ud-Din, son of Ghulam Mohammad, resident of Kandi, District Poonch; age 54 years

The witness deposed that a dangerous situation was created in 1965 when India mounted an attack on Kashmir and the war of liberation started. Taking advantage of cease-fire, Indian colonialists ransacked villages, killed Muslims, molested womenfolk and destroyed lot of property. One morning it so happened that all the villages of Kandi were attacked by Indian troops. Pro-Pakistani slogans were raised to dupe the villagers and take them by surprise. Maulvi Noor Mohammad and 3 members of his family were burnt alive. His uncle Atta Mohammad, son of Shukker Din, also met the same fate.

Statement of Choudhry Mohammad Sharif Tariq, B.A.LL.B., resident of Kalaban, District Poonch; age 29 years

The witness, Choudhry Mohammad Sharif Tariq, explained the circumstances leading to the 1965 uprising. He used to visit different places upto 13 August for organising resistance to the impending Indian action to suppress the rebellion. Haji Fazal Hussain had raised the banner of revolt from Prodhi Gujran and he was appointed Administrator. He joined him and worked as liaison officer at Mainder from 16 to 22 August. The Indian military kidnapped two young Muslim girls of his village forcibly and molested them. They took out the eyes of one Noor-ud-Din and lynched him to death. His maternal uncle—Ghulam Mohammad—was severely beaten and after three days of continuous torture he was also killed. He further stated that his brother-in-law was taken into custody but he was not aware of his fate now. Similarly many people of Kalaban Band were meted out the same treatment and nearly 20 houses were burnt. House-to-house search was conducted for his arrest but they did not succeed After 23 September, when cease-fire had taken place, the Indian army started genocide of Muslims on a large scale. The people abandoned their houses and took refuge in the adjoining forests. Continuing, he said that his whole property worth Rs. 29,500.00 was confiscated and he was rendered penniless. The houses of Muslims at Chiatar Kali, Lesina Bafliaz Smoot, Drabia Pooth Tian, Khira and other surrounding villages of Tehsil Mainder were ultimately burnt.

Statement of Choudhry Sarwar Hussain Tariq, son of Maulana Mohammad Mohi-ud-Din Qadir, resident of Dhand-Kote, Tehsil Rajouri, District Poonch; age 28 years

He stated that his father was a prominent worker of Muslim Conference enjoying confidence of his Gujar community. When, in August 1965, the revolt started under the directions of the Revolutionary Council, he joined the freedom fight. After Indo-Pak cease-

fire, the Indians diverted their attention to Kashmir. Their forces launched an intensive attack to quell the rebellion. They burnt Muslim houses, looted their property and abducted a large number of young Muslim girls. The breasts of young Muslim women were cut and their eyes taken out. Even small children were not spared of their wrath. The families of Haji Fazal Hussain, Haji Hassan Mohammad, Choudhry Niamatullah and Choudhry Maqbool were the worst sufferers. His maternal uncle, Choudhry Mohammad Bukhsh, was burnt alive. Similarly his uncles, Choudhry Lal Din and Choudhry Jalal Din were also brutally lynched until both of them expired. One of his cousins Latif Hussain—a student of 9th class—was also killed.

Statement of Munshi Talib Hussain, son of Wazir Ali Shah, resident of Tehsil Mhender, District Poonch; age 45 years

In August 1965, the Muslims of the State formed a Revolutionary Council in order to start an armed revolt against the unilateral declaration of merger. Munshi Talib Hussain and his associates formed a local revolutionary committee and set up their own local administration. After 20 days of the formation of the revolutionary committee some 300 Indian soldiers, equipped with modern arms, attacked the Headquarters of the revolutionary committee at village Daraba. During the operations, the Indian forces searched the houses of the Muslims and killed Mistri Lal Din, son of Khuda Bukhsh, Musahib Ali, son of Shah Wali Malik, Habib Ali, son of Shah Wali Malik, Noor Din son of Ilahi Bukhsh Gujar, Mohammad Din, son of Noor Din, wife of Mohammad Din and Abdul, son of Shera. When cease-fire was ordered, Indian forces engaged in Sialkot and Lahore sectors started pouring into Mhender for genocide of Muslims. An Indian army column of 1000 soldiers arrived on 25 September. It mounted three major attacks and killed a large number of Muslims, compelling the rest to abandon their villages. Their houses were burnt and property looted.

Statement of Dilbar Khan, son of Faqir Khan,
resident of village Rajdhani,
Tehsil Rajouri

It was August 1965 when suddenly the Indian Army attacked our village. They ordered us to come out of our homes. But as soon as we appeared, we were greeted by a battery of gun-fire as a result of which my son, Mohammad Yousaf, was killed on the spot. I was, later, arrested and subjected to severe torture so much so that my left hand was completely disabled. Later on they took away the daughter of Faqir Mohammad son of Sher Ali Lambardar of the village, and criminally assaulted her. They also threw grenades on us and killed three Muslims. In addition to this about 50 houses were burnt.

Statement of Wazir Alam, son of Mian
Abdullah, village Bala Kot,
Tehsil Mendhar

In December 1965 an Indian army unit attacked our village and killed 14 members of my family. After killing these innocent people for no fault of theirs, they destroyed our houses and set them on fire. Besides them, Mohammad Hussain, son of Sher Mohammad, Lumbardar of the village, was also murdered in a fit of the same frenzy. When his mother came to know of it and began to weep, a soldier shot her dead with a pistol. The house of Mando, son of Fateh, was burnt when all his family members were sleeping inside. When he came out of the blazing house, he was shot dead.

Statement of Bagga son of Lala, resident of
village Golad, Tehsil Mendhar,
District Poonch

In August 1965 the Indian Army attacked our village. When they arrived at my house, they caught hold of my brother and tore his eyes out of their sockets. He was then tied with a rope and burnt alive. They indiscriminately set fire to houses in the locality and killed whosoever came within their reach.

Statement of Abdul Samad, son of Jamal Din,
resident of village Suplla,
Tehsil Mendhar

On 26 September 1965, the Indian Army attacked my village. The first target was my house. They burnt two of my houses and one shop after divesting me of my belongings. Four persons living in the house, who could not escape, were burnt alive.

Statement of Mohammad Shafi, son of Feroze
Din, resident of village Baroot, Tehsil
Mendhar, District Poonch

In August 1965 a Sikh unit of the Indian Army attacked our village and burnt our houses. One of my neighbours, Hidayatullah, son of Kala, was taken into custody while he was engaged in grass cutting. His right hand was cut. When his children began to weep over this beastly act of the Indians, they cut his left hand and two legs; then came a bullet shot which instantaneously ended his life. The Indians then lynched his young son and daughter.

Statement of Mst. Kali, widow of Wali Mohammad
Shaheed, village Baroot, Tehsil Mendhar,
District Poonch

I am resident of village Baroot in Tehsil Mendhar. When Indian Army attacked our village, we vacated it and decided to take refuge in Azad Kashmir. While crossing the mountain pass the same Indian soldiers opened fire on us as a result of which my two daughters received serious injuries, while 32 persons including my husband died on the spot. Quite a number of our companions got wounded. There was molestation of young women, here and there, almost daily.

Statement of Dana, widow of
Qudratullah, village Baroot,
Tehsil Mendhar

One day an Indian Army unit came to my house whereupon I hid myself in the grass to evade them. The intruders shot down my

husband and later killed my two sons who were playing outside the house. In the evening when I went to my house, I was shocked to find the dead body of my daughter there.

Statement of Channen Bibi, widow of Allah Ditta, village Sandote, Tehsil Mendhar

I was living with 40 members of my family at village Sandote in Tehsil Mendhar, the India-held part of district Poonch, As the behaviour of Indian Army, posted in the area, towards Muslim community was openly hostile, we decided to leave our homes. On arriving at Gali which is at a distance of about 4 miles from our village, an Indian Army unit confronted us. They arrested about 40 persons and killed them by gun-fire. After killing the men they arrested five women including myself and took them to their camp at Baroot. They criminally assaulted us and then killed all except myself. I was subjected to physical torture. They brutally cut down my arm with a knife and then threw me out to let me die. But providence had ordained otherwise; I survived and succeeded in crossing over to Azad Kashmir.

Statement of Hamid Loon, son of Abdullah Loon, resident of Highhama, Tehsil Hindwara, age 46 years

Before migration, I had gone to Srinagar for buying food stuffs. When I returned home I found that the Indian Army had besieged the village and Muslims of Srinagar had risen in revolt. Indian Army was burning village after village compelling the Muslims to take refuge in forests. The indiscriminate killing of Muslims had become the order of the day. In one of the villages, breasts of three Muslim women had been cut. Nails were fixed in the hands and feet of five innocent children. I witnessed Sidpir and his son being killed in village Drigmoula. In Kasheera, a religious head named Mohammad Amin, who had four unmarried girls, was shot dead. His daughters were

abducted by the Indian Army personnel. Two of these girls were seen taken away next day towards hospital. Two had died as a result of rape committed on them throughout the night. The other two girls were also meted out the same treatment and were bleeding.

Statement of Mohammad Ramzan, son of Mohammad Abdullah, resident of Azamabad; age 29 years

He stated that his neighbour, Ghulam Qader, son of Jamal Joo, Qadir Joo and his wife and two children, aged 8 and 4 years and one daughter aged two and a half years, were locked in a house and set on fire by the Indian Army.

Statement of Master Mir Hussain, son of Khawaja Ghulam Joo, resident of Challa Dangri

I was a school teacher in Challa Dangri. In 1965 many Muslims were put to death in my presence by the Indian Army which included Fetha Mohammad, son of Maulvi Ilim Din. In village Jallian Muslims were ordered to get into their houses and, as soon as they did so, they were burnt alive. About 30 young girls were taken into custody; their whereabouts are not known.

Statement of Shabbir Ahmad, son of Sikandar Shah, resident of Rajouri; age 25 years

The witness stated that he was a senior teacher in a Rajouri school. Rajouri was Divisional Headquarter under the command of a Sikh General who controlled and conducted the genocidal operations. During the operations Haji Ibrahim, Jamat Ali, son of Haji Hussain Bakhsh, Sahib Din and Ghulam Hussain Chowkidar were burnt alive in their own houses. His grandfather—Pir Haider Shah—was also killed alongwith Maulvi Mohammad Hussain, Abdur Rashid

Tehsildar, Karamat Ullah Zaildar and Maulvi Mohammad Hafeez. His mother and cousin were taken away by the military and their whereabouts are not yet known to him. In the month of October, 1965, while he was running in quest of safety, he came across eleven dead bodies of Muslims lying near the High School, Darhal. Again, near Raiki Illaqa Darhal, he saw about 35 dead bodies, including 15 women victims. At Sian Gungi, on the bank of river Chenab, he saw yet another heap of dead bodies. In the evening when he reached Thana Road, he saw a dump of about 200 dead bodies. Near Miran Wali Bawali, he saw many more bodies.

Statement of Faqir Mohammad,
son of Nasar, resident of
Sadian; age 60 years

The witness stated that the Indian Army used to call for young Muslim girls at their pickets; anybody who dared to refuse was killed. His son-in-law Faqira, son of Gharibu, aged 26, who was an educated young man, was also asked to comply with their demand and, on his refusal, was put to death in his (witness's) house. He further stated that a young girl Mst. Zabi, wife of Feroze Din, was working in her fields when some Indian soldiers pounced upon her. As she raised hue and cry, her husband and one Majid came for rescue but both of them were killed by a brandishing sword. The face of Mst. Zabi was blackened and her breast was cut off. When one Am-Kala Lone, aged 25, tried to rescue her, he was shot dead. One Saddar Din also met the same fate. Samad Lone was Lambardar of village Gigrian. He was also directed to supply young Muslim girls and, on his refusal, his hands were cut and eyes taken out.

Statement of Miss Zainib Bano, Principal,
Girls Intermediate College,
Muzaffarabad (Azad Kashmir)

I belong to Srinagar. According to my knowledge 250,000 Indian troops are posted in Occupied Kashmir. In addition to this, there are Central Reserve Police, Bihar Police, Punjab Police and

Kashmir Armed Police. I was posted in Zaina Kadal Girls College as Professor of Biology. During the catastrophe of 1965, the Khanqah of Kishtwar was set on fire. Terror was let loose throughout the Valley in August, 1965. As a protest, students of Higher Secondary School Noakadal alongwith Degree and Higher Secondary students of other colleges staged demonstrations. The Indian Army opened fire on a procession which resulted in the death of a number of students whose dead bodies were not handed over to their kith and kin. Only the dead body of Khurshid, who was leading the procession, was made available after a great struggle. I was also accompanying the procession . . . The Batamalu had been blown up, and the survivors of the tragedy were groaning in the wilderness in Gol Bagh. All the outlets of the city of Srinagar had been plugged with military pickets. Permanent military and police posts had been installed in all the educational institutions to suppress any rising of the Muslim youth. From my relatives I learnt that Achha Bal and Pampore villages were set on fire. So far as I know, about three to four hundred Muslims were put to death in Srinagar alone. In 1958 about 1600 Muslims were shot dead at the time of Sheikh Mohammad Abdullah's re-arrest.

MAULANA FARUQUE'S STATEMENT

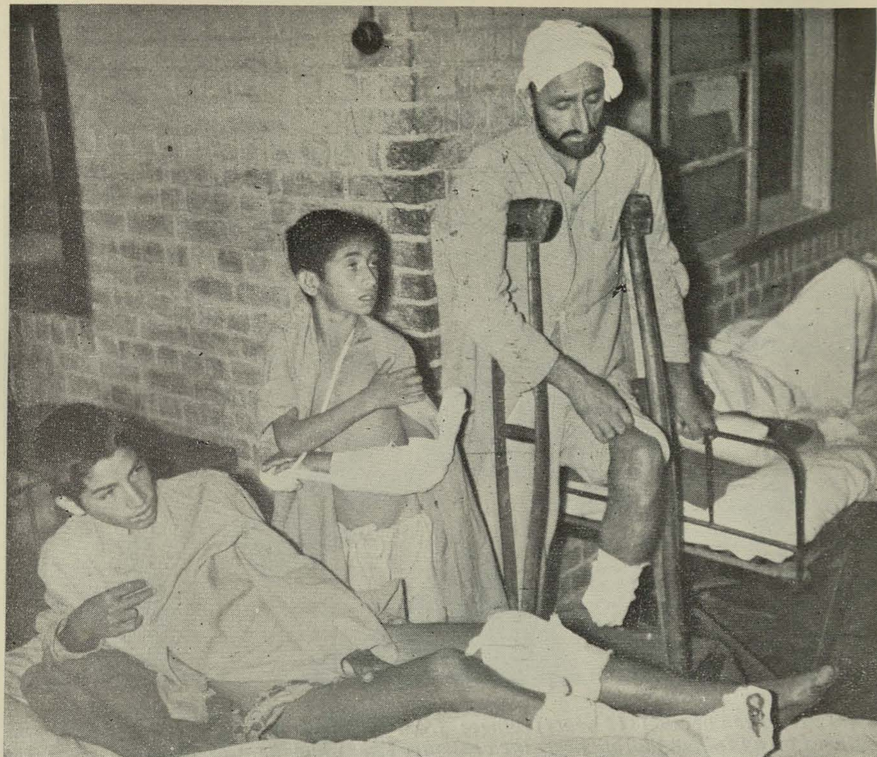
According to a statement issued on 9 October 1968, Maulana Mohammad Faruque, said that during his arrest in 1965, third degree methods were used against him by the authorities. In a statement released by the People's Action Committee of Jammu and Kashmir at Srinagar, the Maulana said that he was tortured, abused, maltreated and forced to stay awake during the period of his detention by the police authorities of the puppet regime of Mr. Sadiq. He said he was arrested on the night of 9-10 October, 1965, and was placed in a Jammu special jail. He was removed to another house on October 21. On November 16, he was whisked away in a closed jeep and was placed in a small underground cell where he was subjected to inhuman treatment for 50 days. The Maulana said: "It was dark and dingy cell secured with iron bars but with no windows." The same cell had to be used as latrine. Armed Police stood guard outside the cell.



Abdul Majid son of Sian (12 years) refugee from village Dawason, Tehsil Rajouri, was captured by an Indian patrol near the cease-fire line while he was about to cross the border into Azad Kashmir. He received bullet wounds on his nose, right arm and right leg.



A batch of fresh Muslim evictees from Occupied Kashmir is trekking towards Azad Kashmir in search of food and shelter.



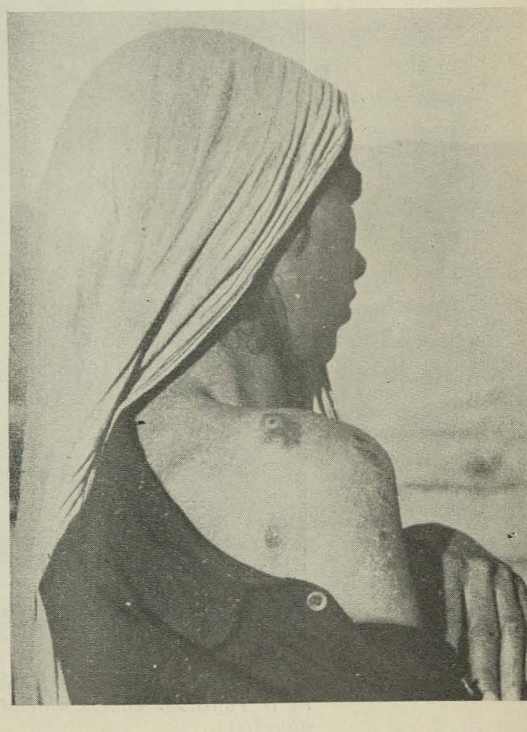
In the middle : Mohammad Razak, son of Abdul Aziz (12 years) refugee from village Phorah, Tehsil Mendhar, Indian-held Poonch, was hit by an Indian bullet in his left arm. In bed : Mohammad Khalik, son of Dost Mohammad, (15 years) refugee from village Kala Ban. Indian-held Poonch whose legs were fractured when an Indian soldier tried to gun him down. Standing : Mohammad Alam, son of Karim Baksh (34 years) refugee from village Balnoi, Tehsil Mendhar, lost his left foot when Indian artillery men opened gun fire on Muslims fleeing to Azad Kashmir.





A Kashmiri woman with her child and all her earthly belongings looking at her burning village—for the last time—from across the Pakistan border. The Indians did not spare anyone; they hounded out weeping mothers and groaning children from their ancestral homes to take refuge in Pakistan.

Moti Begum wife of Mohammad Akbar (28 years) refugee from village Draba, Tehsil Mendhar was badly hit in her right shoulder by Indian shell fire while crossing the cease-fire line.





A group of orphan children and widows from village Dharal, Tehsil Rajouri, are seen taking shelter at Kotli Transit Camp soon after their arrival in Azad Kashmir on the last day of Indo-Pakistan war in September 1965.



A blind and 105-year old Kashmiri refugee woman in a Pakistani camp, without her young grand-daughters.

"I was searched in a most uncivilised manner and my personal effects were snatched away before I was thrown in the dark cell. For about 20 days, I was not allowed to sleep and cold water was often thrown on my face when I felt drowsy. High-powered electric bulbs dazzled my eyes. The moment drowsiness overtook me, so much noise was made that, I could not take even a nap. I was abused in a shameless manner. My eyesight was badly affected and eventually I fell ill." Maulana Faruque said that one day he lost consciousness due to illness and had to be removed to the Sadar Hospital in Jammu, where he was kept under armed guard. He said although his relatives tried their best to meet him in the jail they were not allowed to do so. The only man who saw him for a few minutes was his late brother. The Maulana said that his health was shattered due to this inhuman treatment in the prison.

A FOREIGN WITNESS

A leading French correspondent of *Le Figaro* who personally visited the refugee camps at Garhi Dopatta Rara, Kahigala, Hajira and Pallandri in Azad Kashmir cabled the following report on 1 October, 1965 : "We have just arrived in one of those refugee camps hastily set up beyond the Kashmir cease-fire line to greet the civilians running away from the Indian troops. A guerilla warfare has developed in the part of Kashmir held by the Indians, during the two months and since then, for the poor villagers, the victories of the freedom fighters are but stories of villages set on fire, raped women and death. A furious young man takes my arm and tell me the story of his village, Mandi, somewhere near Poonch. The Indians cut the throats of our daughters and exposed them, saying 'here is your Pakistan'. Seven members of my family have been taken away and slaughtered by the soldiers, he said with tears in his eyes. Others continued the story : 'they have shut the people in their houses before setting them on fire. The whole village was burnt down. This morning I visited another village and heard the same story. One of these miserable men with a beard told me : 'Eighteen days ago, the Indians launched an attack on our village. After midnight, they succeeded in entering the village and burning all the houses, killing

everybody they saw." He added that he had succeeded in running away with his wife, his two sons and his daughter. He did not know if anyone else had survived. Thousands of refugees are arriving in Azad Kashmir telling the same story. It seems that the Indians are trying to clean up the area on the other side of the cease-fire line by killing or chasing away the villagers."

TESTIMONY FROM INDIA

When Batamalu—a predominantly Muslim inhabited mohalla of Srinagar—was set on fire in August, 1965, the Indian Government came out with an announcement accusing some unknown 'Pakistani infiltrators' of espionage. But the survivors, after the catastrophe, who had assembled in Gol Bagh vehemently protested to the Government authorities for shifting the blame to non-existent elements. The myth of Pakistani infiltrators has been exploded by evidence borne out by a number of neutral observers from India. Notable among them are Miss Miridula Sarabhai and Mrs. Vimla Devi—India's social workers of recognized integrity. This conflagration, which was started by Indian troops, consumed 437 houses and three mosques. More than 4,000 people were rendered homeless, as Batamalu was burning; two civilians, one of them a Sikh, who wanted to salvage their belongings, were shot at by the Indian troops. He was burnt alive. Next day the eye-witness discovered the charred body of a Muslim woman from the debris. Chatabal met the same fate, the following day, as well as all the adjoining areas where the population was hundred per cent Muslim. These localities were sealed by the army and then set on fire. The fire brigade was not allowed access to the burning houses.

The Indian Army had sprinkled petrol on houses through pipes in the entire Batamalu area and then set it on fire. This account was given by an eye-witness who managed to leave Srinagar and reach Muzaffarabad. The eye-witness, who is a foreigner, said that it was the worst case of arson and incendiarism in the history of the town. The Indian Army, he added, did not allow the fire brigade to extinguish the fire. In some cases fleeing victims

were pushed back to be roasted alive. He said that the Batamalu area was vacated under the orders of the Indian Army at 11.45 in the forenoon of August 14. The Indians then soaked all the houses with petrol. Before setting the area on fire, they stood guard on all the points leading to it and, after a specified time, those who still remained inside were not permitted to come out because the area was declared as 'sealed off'. As the flames from the area leapt up, the Indian soldiers fired indiscriminately in all directions. Next morning, he said, the charred bodies of a number of persons were recovered.

A prominent worker of Serva Sangh of India, Mrs. Vimla Devi Thakur, has reported to her organization that the Indian forces in Occupied Kashmir were persecuting the Muslim population on a large scale. Giving impressions of her visit to Mandi town in Poonch district and Surankot, she said: "The sad and pathetic story of Mandi's destruction by the Indian Army in August, 1965, the subsequent mopping-up operations and victimisation of poor people out of political prejudice, indiscriminate and ruthless use of the Defence of India Rules, inhuman torture of people in interrogation centres and the reign of terror prevailing in the area are things which may sound incredible and yet they are true. Though I had heard a number of cases about the torture committed in the interrogation centres, I had also heard about the atrocities and brutalities of the Indian Army in the mopping-up operations in Rajouri, but I had not heard cases like these: Mr. Karamat Ullah, a very well-known and rich person of Darhal, who received the Indian Army on behalf of the villagers, was arrested and told that he would be released on giving Rs. 6,000.00 to military officers. He went to his home and brought that amount, which he handed over to the officers concerned. Despite this, his wife and daughter-in-law were arrested, taken to the Police Station and raped by the officers of Kumaon Regiment No. 11. After three days, both the ladies were shot dead. Then came the turn of Karamat Ullah himself. He was tortured and humiliated in a number of ways. His clothes were taken away and chilly powder was inserted into his rectum and a bamboo inserted into his throat. He was kept groaning for hours. Similarly, another Muslim of the same village, Amanullah, who was much respected by his people, was

tied upside down by Army officers. His wife and daughter-in-law were raped in the Police Station for three days in the presence of his son who was tied down to a post in the same room. All the three were shot and their bodies were thrown into a stream. Amanullah was later murdered lest the news should escape the valley and reach the people. Likewise, an old peasant woman was brought to Army camp and raped. In the end, petrol was sprinkled on her and set on fire. There are eye-witnesses who saw the unfortunate woman running to her village. She became unconscious and fell down midway. The villagers, however, managed to extinguish the fire. The poor woman could survive only for five days. Captain Kundan, Deputy Commissioner of Rajouri, has himself seen the woman dying."

APPENDIX II

In India there are dissenters who have challenged the official, avowed policy on Kashmir. They are in a minority but, nevertheless, they are there and include in their ranks some eminent national figures. Their conscience has set them at loggerheads with their own government and the common run of public opinion. Their views are based on the conviction that the ruling party is acting unwisely and unjustly. They have warned India of India's folly; their admonitory statements are seldom heeded by their Government but the very least they can do and are doing is to encourage doubts and present the other side of the picture.

So far as the world at large is concerned, there are no two opinions anywhere about India's stand on Kashmir. Ever since the inception of the trouble, twentyone years ago, numerous comments on India's Kashmir policy have appeared in newspapers throughout the world. The world press has been consistently condemning India's callous disregard of international opinion and democratic aspirations of the Kashmiri people. The strictures passed on India are legion; it is all common knowledge and need not be reproduced here.

TWO INDIAS

For more than twenty years the Indian government has been actively engaged in elaborating a fictional thesis on Kashmir. Ostensibly an attempt to hoodwink people at home and elsewhere, it is more like an exercise in self-deception. Like a juggernaut, the Indian Government first rode down the hapless Kashmiris and then smilingly proclaimed to the world that all was well in Kashmir and that the people of Kashmir had given their verdict in favour of India. The people abroad were never taken in, and even in India there were some who thought that their government was in error.

As years rolled by, Sheikh Abdullah's arrest in 1953 made nonsense of India's pronouncements on Kashmir. Those who did not see eye to eye with their government on this issue became even more vocally articulate. There are many among the intelligentsia and enlightened Indian politicians who have censured their Government's policy in Kashmir. Some have been vehement, some moderate and a few, like General Cariappa, merely wishful . . .

There are some who have gone back on their words; having repeatedly stated that it was wrong to claim that the Kashmir issue was already settled and accession was final and irrevocable, Mr. Jayaprakash Narayan, the Indian Sarvodaya leader, staged a remarkable volte-face. He has now brazenly declared that a plebiscite is out of question and Kashmir is an integral part of India. Similarly, in 1964, Mr. Minoo Masani, General Secretary of the Swatantra party, first said that fresh elections should be held in Occupied Kashmir to get a "mandate from the people" on future relations of the State with India, Pakistan and other nations. Two weeks later, Mr. Masani, in another statement, stoutly denied having ever advocated a plebiscite to determine whether Kashmir should accede to India or Pakistan.

Mr. Dayabhai Patel, who was leader of Swatantra group in Rajya Sabha (Upper House of the Indian Parliament), is perhaps the only Indian politician to suggest that India should give up Kashmir, plebiscite or no plebiscite. He is the son of late Sardar Patel. He said in July 1964 that India should give up Kashmir "for good" because the question has been allowed to remain unsettled for a long time "and over 200 crores were being spent on Kashmir annually. It is better to cut off the rot." No one else in India appears to have suggested so drastic a solution. There has been, however, no lack of strongly-worded condemnations. Acharia Kripalani, leader of the Indian Swatantra Party, said in November, 1964, that India had been so thoroughly exposed that she dare not face the U.N. again.

Similarly, Mr. S. M. Joshi, Chairman of the Praja Socialist Party of India said at Kanpur (April, 1964) that the wishes of the people of Kashmir should be ascertained to solve the Kashmir problem and India should honour her promise of holding a plebiscite after the cease-fire. He added: "It is sad that we have not fulfilled the undertaking. Our position has been falsified in international politics."

TWO WOMEN

Two prominent Indian women, Miss Mridula Sarabhai, well-known disciple of Gandhi and Mrs. Kulsum Sayani, a veteran feminist leader, have shattered the Indian case in Kashmir in their letters published in the *Indian Express* (May 14, 1965). Brushing aside Indian pretensions to pacifist settlement of the dispute, Mrs. Sayani recalled the Indian Prime Minister's message to President Ayub to "settle all our disputes by peaceful negotiations" and "yet our next step was to adopt measures which would indicate as if the Kashmir problem did not exist." She posed the question: "Do such acts dissolve the problem which is known to all the world and which we ourselves were responsible for taking to the U.N."

Here are some excerpts from Miss Mridula Sarabhai's letter:

"Your editorial, "Abdullah's Spokesmen" (May 14) deals with the handouts I circulate to moulders of public opinion and policy-

framers in Delhi. The idea that these are being issued for propaganda is baseless. Whenever the press has been allowed to function without censorship, oral or written, and it voices the Kashmiri people's cry for justice, there is no need for such handouts. But when there is an effort on the one side to create false impressions outside, I feel it is a national duty to share the facts with all concerned . . . The local press has been gagged ; the question is: Why this eagerness to make all believe that 'not a dog barked' when Sheikh Abdullah was arrested and that Kashmiris are temperamentally meek and will submit to whatever is done to them ? This wrong assessment of a popular movement is in itself proof of how cut off the rulers are from the people. If the situation was handled sympathetically and if the Press and Radio were allowed to play their legitimate role of voicing popular grievances there would be no need for special bulletins to be issued.

"The vast difference between the Government version and the popular version of such events arises from an age-long attitude especially when, in following the 'firm and hard line', the authorities create a shell of 'I see not, I hear not and I speak not' atmosphere around themselves. They hedge it with such steps as (1) suppression of local newspapers which publish local events as they see them (in Kashmir 10 newspapers have been closed down and a few editors are in detention) ; (2) and oral warnings to the local correspondents of the outside press to send only despatches endorsed by the authorities. In these circumstances how can anyone find out the facts ?

"My plea is: Don't close the case until you hear and assess the data from the complainant also. The central agencies of law and order are at work in Kashmir. Every lathi, every shot, every indiscriminate detention and harassment is attributed to India and becomes one more stroke for undermining the very foundation of emotional integration for which all this is being done.

"You have referred in your editorial to bulletins reaching diplomatic missions etc. And the 'damage' they do. Hundreds of foreign visitors are in Kashmir, eye-witnesses to what is happening and feeling the pulse of the people."

In a letter published in *Indian Express* of Bombay (1 June, 1965) Miss Mridula Sarabhai strongly criticised the views recently expressed by Mir Qasim. Here are some excerpts from her letter:

"Mr. Frank Moraes, in his "Report on Kashmir-II" (June 8), has quoted Mir Qasim as saying that "so long as the Government of India does not adopt and declare a firm unequivocal policy on Kashmir, things will remain in the melting pot" and, to substantiate this, Mr. Qasim has blamed Indian leaders for defreezing the Kashmir problem and putting it into the melting pot. He holds that "firmness pays". It is surprising how even recent history has been wrongly interpreted and read. It is an admitted fact that the emotional upheaval at the time of the theft of the holy relic in 1963 was basically an eruption of political discontent. It was a revolt against prevailing conditions.

The theory that the time factor will solve these problems has also failed. The 'policy of firmness' is not only failing but is creating a very dangerous situation because we cannot solve these issues. The Government wants to coerce the people of Kashmir into declaring that a solution has been arrived at. For argument's sake, let us say that this is accepted but how does it change the local situation and the problems that confront the people? This can be visualised only when one places oneself in the place of the Kashmiri, staying in a border State and in a warlike atmosphere. The consequences that arise out of the refusal to accept the existence of the Kashmir dispute will be felt, sooner or later, irrespective of what attitude the State Government and the Government of India take. It is a cancer that has to be treated by tackling the cause but, if you ignore it, one knows what happens."

MR. RAJAGOPALACHARI

A few months after the 1965 war the Indian Swatantra Party leader, Mr. Rajagopalachari, warned the Indian Government to give up its rigid stand on Kashmir if it wanted to break India's present diplomatic isolation in the world. In two articles published in his weekly *Swarajya*, the former Governor-General of India said that it

was wholly "unfair for the Congress Parliamentary Party to attribute the defeat of India's cause to lack of energy and diplomatic or forensic talent among our foreign embassies". He said: "They may have many shortcomings but these are not at the root of our diplomatic defeat—for to defeat it is to have all the world nations, except Soviet Russia, against us by our own confession.

"Even Soviet Russia refuses now to adopt a very clear Indian line. The diplomatic failure has to be explained not by imputing faults to our representatives or malice to world powers, but by something in the very nature of the problem and the manner in which we have tackled it all these years". Mr. Rajagopalachari said that to persist in maintaining that Kashmir was an internal affair of India would not help matters. If we were so sure that Kashmir is an integral part of India, it would not require to be repeated so often like my lady's excessive protest. Even more firmly accepted truths in the physical sciences have been modified by subsequent investigation. Let there be no dogmatism about the liquid truths in political life".

Mr. Rajagopalachari maintained that the "two important and worthy aims" before them were to settle the Kashmir problem according to the free opinion of its people and to develop friendly relations and co-operation between Pakistan and India. He agreed with the United States President that the United Nations 'should achieve prestige and strength by successfully tackling a major dispute' like Kashmir. He said a settlement of the Kashmir dispute would certainly be a great achievement for the United Nations.

According to Indian press reports, Mr. Rajagopalachari's outspoken views on Kashmir roused great anger among Congressmen and Hindu fanatics. The Madras Chief Minister, Mr. M. Bhaktavatasalam, said that the State Government was aware of certain responsible leaders expressing views likely to affect the nation's defence efforts and warned that action would be taken against them.

TWO INTELLECTUALS

In April, 1967, two Indian intellectuals, Mr. T. N. Zuthsi and E. P. Menon, prepared a report on the "Kashmir Problem" and submitted it to the Indian Prime Minister and a few others. They gave a 'graphic account of the happenings in the held territory and demanded immediate and unconditional release of political leaders and workers in detention. They also urged the restoration of civil liberties in the Indian Occupied Kashmir and stressed the holding of a joint meeting of the representatives of both India and Pakistan and leaders of various political parties in Jammu and Kashmir, including Azad Kashmir, for thrashing out a peaceful and honourable solution of this most agonizing problem.

Quoting a member of the Sikh community of Occupied Kashmir they wrote in their report: "An elderly Sikh gentleman, 80-year old, who has spent his life in Kashmir medical service and risen to the highest position in that service and has travelled in many countries of the world, when talking to us of India's present position in Kashmir, pointedly said: "We are in Kashmir just as the Americans are in Vietnam". Referring to Sufi Nazir Ahmad, a prominent Muslim mystic divine of Kashmir, they said Sufi Nazir Ahmad was of the view that "no one even partially acquainted with the Jammu and Kashmir problem, can ever believe that Sheikh Mohammad Abdullah and others of his views urged "accession" to the Indian Union, permanent or provisional, in order to convert the State into a Hindu majority province by driving out large numbers of Muslims.

"This is what has been continuously happening since the day Jammu and Kashmir was occupied by India. A comparison between the census figures of the ratio of Muslim and non-Muslim population of the State before 1947 and after, would be enough to remove whatever doubts some people may have regarding the veracity of my statement. I would like to say a word here only about the district and the province of Jammu. The percentage of Muslim population in Jammu district before 1947 was 56 per cent. There are, however, hardly 20 per cent Muslims today in Jammu district. As for the province of Jammu as a whole, it is difficult to give an exact figure since the

number of Muslims killed or driven out during last year's upheaval is unknown. The fact is that an organised group has been at work since 1947 with a well thought-out programme of driving the Muslims out of the entire State of Jammu and Kashmir or at least from a major part of it. Even the Indian Government appears incapable of taking any step to stop their nefarious activities and establish permanent peace in the State. Being satisfied with their success in Jammu province, these people have now turned to Kashmir proper and have selected the district of Doda for their activities.

"Recently, during my short stay in Jammu while returning from Kashmir, I was told that they are busy these days in getting signatures of the people of Doda on a memorandum which declares that inclusion of the district of Doda in Kashmir proper was contrary to the "secular spirit" of the Indian Constitution. This claim is being made notwithstanding the fact that Doda is a part of Kashmir proper both linguistically and culturally and has, at least up till now, an absolute Muslim majority." Sufi Nazir Ahmad further said: "In the face of this conspiracy to drive out all Muslims from Jammu and Kashmir it is natural that the Muslim population should look towards Pakistan with hope. The question arises as to who is responsible for creating this pro-Pakistan sentiment in the Muslim population of the State. At least one clear answer to this question is that the group which has made it difficult for the Muslims to live in this State is wholly responsible for it. Had the policy of the Jammu and Kashmir 'government' been directed since 1947 towards ensuring safety of Muslim lives and property as well as of the majority status of the Muslims of the State, the political realities, not only pertaining to Indo-Kashmir relations but also to the situation prevailing in India and Pakistan would have been entirely different and the impact of this would have been of quite a different nature on the political situation . . ."

A WRITER SPEAKS

When Sheikh Abdullah was still in jail, an Indian writer, Dilip Mukerjee, contributed an article captioned, "Constructive Role Awaits Abdullah" to the *Statesman* of New Delhi. According to him: "The political leadership in New Delhi has also had to reckon with the fact that the Kashmir problem is an international concern

regardless of the legal position adopted by our leaders that it is our domestic affair".

"During Mrs. Indira Gandhi's visit abroad, she is believed to have been reminded both by Mr. Kosygin and President Tito of the need to put our own house in order in Kashmir. The reminder stemmed primarily from the stake these friendly nations have in India's stability which remains highly vulnerable until the Kashmir problem is sorted out. The prompting of these friends gained added urgency because of the pleas made to them by Pakistan. Not surprisingly, Pakistani Government and press have sought to make a test of India's ability to live up to its commitments under the Tashkent Declaration. Some might be tempted to argue that Pakistan had no locus standi vis-a-vis Kashmir. But this is to fly in the face of facts. Even the Soviet Union, which from 1955 onwards took the position that Kashmir was an integral part of India, has had to soften its position after 1963 when we went into six rounds of talks with Pakistan in search of a *modus vivendi*. To suggest that the failure of the talks plus the armed conflict of 1965 have put Pakistan permanently out of the count will not do. It would be contrary to the spirit of Tashkent to which we proclaim our adherence day by day".

Dilip Mukerjee added: "Implicit in the decision to release Sheikh Abdullah is the assumption that a dialogue with him will now be resumed. Any realist will have to recognise that the setting in which Nehru and Sheikh Abdullah discussed the problem has changed in the three years . . . The international community retains interest in Kashmir problem because of its implications for the stability and peace in the subcontinent. But it wants the issue to be negotiated but not fought over. Fighting is even otherwise ruled out. This sets a limit to the dialogue, meaning that a solution must be found by mutual consent. The best that one can hope for is a readjustment of the Indian position to assure the Kashmiri people full opportunities for self-expression".

Dilip Mukerjee concluded: "Whatever judgment Sheikh Abdullah may have arrived at for himself, it is clear that a fairly long period will have to intervene between his release and substantive negotiations. He will need all this time to re-establish himself in Kash-

mir's political life. The communal polarisation taking place in the State threatens the Sheikh's position as much as it threatens India. A great deal of political stamina is going to be needed to face up to the Sheikh's demagogy."

FACE THE PEOPLE

An Indian intellectual, Mr. R. V. Raghavan of Bombay, urged the Indian Government to settle the Kashmir dispute according to the UN resolutions. In a letter to the Editor of the weekly *Himmat* of Bombay, which appeared in its issue of 20 October, 1967, Mr Raghavan wrote: "I read your article 'India and Pakistan' wherein you have emphasised the need to settle our differences with our neighbour. You have, however, discreetly left out the main point of dispute between the two countries—Kashmir. Unless this thorny question is settled, there can never be any friendly relationship between us." Criticising India's military occupation of Kashmir and its unrealistic approach to this vital problem, he asked the Indian Government: "Why does not the Indian Government give up its false prestige and seek a settlement of this basic question with Pakistan? Let the Government of India agree to hold a plebiscite. The plebiscite can be held under UN auspices. Let both Pakistani and Indian troops withdraw and let the UN forces supervise the plebiscite.

"If, as the Indian leaders claim, the people of Kashmir are for remaining with India, why are they afraid of facing the people. On the contrary, if the Kashmiris wish to join Pakistan, our holding on to Kashmir with the help of our military might is meaningless." Praising Pakistan's foreign policy and her cordial relationship with the neighbouring countries, Mr. Raghavan observed: "All our fears that if Kashmir goes to Pakistan that may pose a threat to India or that Pakistan may embark upon a fresh campaign of aggression are unfounded. Pakistan has also got to respect international law. After all, they have no territorial disputes with Iran, Afghanistan, China, or Burma; if they can live in peace with all these neighbours, certainly they will live in peace with their neighbour India also. We will seek an assurance from Pakistan that once the Kashmir question is settled, she has no further territorial claims on India. I am sure this assurance will be forthcoming."

OUR GREAT OPPORTUNITY IN KASHMIR*

by

JAYAPRAKASH NARAYAN

The story of Kashmir is an account of confused aims, unsure methods, insincere ideals. From the beginning, Kashmir has been the Prime Minister's concern. Yet when Sheikh Abdullah was dismissed from the Prime Ministership and detained, Mr. Nehru happened to know of the event just as any other Indian citizen did. That is only one example of the incredible manner in which the Kashmir question has been handled. The present ballyhoo over Sheikh Abdullah's statements raises the doubt if the old story was not going to be repeated again. After 11 years of dilly-dallying the Sheikh was at last released. But again there seems to be no well thought-out policy behind that belated decision. Surprise and pain have been expressed at Sheikh Saheb's statement. Unless the gentlemen concerned had deliberately hidden their heads in the sand, they could have saved themselves these emotional upsets. Sheikh Abdullah has said nothing that was not expected from him.

What, after all, is the substance of Sheikh Abdullah's statements? This, that the future of Kashmir has to be decided by the people of Kashmir, and that it has to be done in a manner that the dispute about it between India and Pakistan is amicably ended. With a little imagination it was possible to see that this clear and principled stand of the Kashmir leader opened for India a wonderful opportunity that could be exploited to the advantage of all concerned. What actually is happening, however, is parrot-like reiteration of slogans that carry no conviction in any dispassionate quarters. One of these slogans is that the accession of Kashmir to India is final and irrevocable. The Sheikh has questioned that, and it is for impartial lawyers to decide the issue. But the vital point to keep in mind is that it is not by legal advocacy that a human problem like that of Kashmir can ever be settled. Indeed it was such realization that had prompted the original promise of the Prime Minister to ascertain the wishes of the people. At this point two further slogans are raised: (a) the people of Kashmir

**A summary of two articles published by New Delhi's "Hindustan Times" in 1964.*

have already expressed their will at three general elections; (b) if the people of Kashmir are allowed to express their will, it will be the beginning of the end of the Indian nation.

Both, to my mind, are baseless slogans. The elections in Kashmir after Sheikh Abdullah's arrest were neither fair nor free. If that has to be disproved, it can be done by an impartial inquiry and not just by official assertions. I may be lacking in patriotism or other virtues, but it has always seemed to me to be a lie to say that the people of Kashmir had already decided to integrate themselves with India. They might do so, but have not done so yet. Apart from the quality of the elections, the future of the State of Jammu and Kashmir was never made an electoral issue at any of them. Lastly, if we are so sure of the verdict of the people, why are we so opposed to giving them another opportunity to reiterate it? The answer given is that this would start the process of disintegration of the country. Few things have been said in the course of this controversy more silly than this one. The assumption behind the argument is that the States of India are held together by force and not by the sentiment of a common nationality.

The last and final slogan raised in the ballyhoo is that there is no Kashmir question at all, and that if there was one at any time, it has now been settled once for all. Kashmir is a part of India and that is a fact of history, they say. That, I think, is the worst form of auto-suggestion. Of all the amazing statements made in the course of this controversy the one by the 27 Congress MPs (including the Secretary of the Congress Party and other important members) would easily take the prize. Coming to Kashmir, this is how they authoritatively summed up the position: "You can no more talk of self-determination in the case of Kashmir than in the case of, say, Bombay or Bihar." Further on they said: "After the Americans attained independence, was any State allowed to exercise the so-called right of self-determination?" Surely, Congress MPs know better. Then why this deliberate obfuscation? Is the answer far to find?

When partition was agreed upon, it was decided that what was known as British India would be divided according to Muslim and Hindu majority areas (without any referendum) and that in Princely

India the Princes would have the option to accede to either India or Pakistan. Thus there was no question of any referendum in Bihar or Bombay. As to the Princely States, the accession of the Prince was to be final. So, when Maharaja Hari Singh of Kashmir acceded to India, that should have set the matter beyond doubt for all times, as indeed in strict law it actually did. But there was a snag: the accession had to be accepted. And it was precisely at that point that the idea of referendum or self-determination in regard to Kashmir was injected into the course of events.

At this point it might help to clarify matters to consider another variation of the theme, though it was not the theme of the 27 MPs. Briefly, it is this; true, there was a proviso added to the Instrument of Accession, but that has already been given effect to and there is nothing further to be done about it. The proviso was carried out, it is said, when the Kashmir Constituent Assembly adopted in 1956 a Constitution which declared that "the State of Jammu and Kashmir is and shall be an integral part of India." That was three years after Sheikh Abdullah's arrest, but that may not be considered so important. The really important point is that a decision of the Constituent Assembly cannot be equated with a referendum, which the Prime Minister had solemnly pledged. Statements of Sheikh Abdullah are handled to prove that he himself had accepted the accession. But there never was any question about it. Following the Maharaja's legal act of accession, the Sheikh and the National Conference had endorsed and explicitly accepted the accession; and on many subsequent occasions their acceptance was reiterated. All that is incontestable. Yet the proviso remained and had to take effect. Neither the National Conference nor Sheikh Abdullah could take the place of the people of Kashmir whose will had to be ascertained and not the Sheikh's or that of the National Conference.

Still another argument is that since Pakistan joined SEATO and CENTO and the U.S.A. supplied it arms, and other things happened, the situation became so transformed that the offer of referendum stood no longer. But it is forgotten that it was not to Pakistan that the offer or pledge had been given but to the people of Kashmir. There could be no justification for punishing the latter for the actions of the

former. In view of all this it appears to me that the right and constructive approach is not to deny to Kashmir the right of self-determination or to assert that the right had already been exercised, but to show rationally how impractical and imprudent it would be to exercise that right now.

Before concluding I wish to take a look at our secularism in relation to Kashmir. Apart from other considerations, Kashmir is deemed to be of great value to us because we wish to hold it up as an example of our secularism. But suppose we had to keep the Muslims of Kashmir within India by force; would that also be an example of our secularism? The very question exposes its absurdity.

APPENDIX III

India's volte-face on Kashmir is one of the most glaring cases of dishonest behaviour by a country which claims to be 'democratic' and 'secular'. For years India kept telling the world that the fate of Kashmir will be decided by the Kashmiris themselves. One has only to recall some of these assurances to see how seriously India had once committed itself to a free plebiscite and how unconscionably it spurns it now. There are several thousand words, solemnly spoken and neatly printed in Indian and world newspapers, which barricade all approaches to escape-alleys improvised by Indians. As the ultimate objective of all the Security Council resolutions was to create conditions conducive to the holding of an early and fair plebiscite, let us see how far India is bound by these resolutions and what international commitments she and her leaders had made in the past to honour their pledge to United Nations, to Pakistan and, above all, to the people of Jammu and Kashmir.

PLEBISCITE PLEDGE

In his reply to the Maharaja's letter despatched on 27 October, 1947, Lord Mountbatten, the Governor-General of India, stated on behalf of the Government of India: "Consistently with their policy that in the case of any state where the issue of accession has been the subject of dispute, the question of accession should be decided in accordance with the wishes of the people of the state, it is my Government's wish that as soon as law and order have been restored in Kashmir and her soil cleared of the invader, the question of the State's accession should be settled by a conference of the people."

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Perhaps not satisfied with this clarification, Nehru promptly sent a telegram to the Prime Minister of the United Kingdom, Mr. Attlee, in the course of which he said:

"I should like to make it clear that question of aiding Kashmir in this emergency is not designed in any way to influence the State to accede to India. Our view which we have repeatedly made public is that the question of accession in any disputed territory or state must be decided in accordance with the wishes of people and we adhere to this view."

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On receiving this telegram, the Prime Minister of the United Kingdom sent a clearly-worded message to the High Commissioner of the United Kingdom in Pakistan to be communicated to the Prime Minister of Pakistan:

"I have received message from Prime Minister of India stating that grave situation has developed in Kashmir . . . He adds that he

would like to make it clear that the question of aiding Kashmir in this emergency is not designed in any way to influence the State to accede to India."

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Next day, Mr. Nehru despatched the following telegram to Prime Minister Liaquat Ali Khan:

"I wish to assure you that the action Government of India has taken has been forced upon them by circumstances and imminent and grave danger to Srinagar. They have no desire to intervene in affairs of Kashmir State after raiders have been driven away and law and order established. In regard to accession also it has been made clear that this is subject to reference to the people of State and their decision. Government of India have no desire to impose any decision and will abide by people's wishes but those cannot be ascertained till peace and law and order prevail."

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On the last day of October, the same year, the Prime Minister of India despatched yet another telegram to the Prime Minister of Pakistan:

"Kashmir's accession to India was accepted by us at the request of the Maharaja's Government and the most numerously representative popular organization in the State which is predominantly Muslim. Even then it was accepted on condition that as soon as the invader has been driven from Kashmir soil and law and order restored the people of Kashmir would decide the question of accession. It is open to them to accede to either Dominion then. Our assurance that we withdraw our troops from Kashmir as soon as peace and order are restored and leave the decision regarding the future of this State to the people of the State is not merely a pledge to your Government but also to the people of Kashmir and to the world."

Mr. Gandhi visited Srinagar, Kashmir's capital city, for the first time at the age of 77, but the trend of popular opinion forced the Mahatma to declare:

"..... The princes being the creation of British imperialism and the British having quitted India, the people in the States were their own masters and the Kashmiris must, therefore, decide, without any coercion or show of it, from within or without, to which Dominion they should belong."

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The White Paper on Kashmir issued by the Government of India in 1948 held out the assurance:

"The question of accession is to be decided finally in a free plebiscite; on this there is no dispute. There will be no victimisation of any native of the State, whatever his political view may be and no Kashmiri will be deprived of the right to vote."

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On 15 January, 1948, the leader of the Indian delegation assured the members of the Security Council:

"..... Whether she (Kashmir) should withdraw from her accession to India, and either accede to India or remain independent with a right to claim admission as a member of the United Nations—all this we have recognised to be a matter for unfettered decision by the people of Kashmir after normal life is restored there."

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In a broadcast from New Delhi on 2 November, 1947, the Indian Prime Minister said:

"..... We have declared that the fate of Kashmir is ultimately to be decided by the people. That pledge we have given, and the Maharaja has supported it, not only to the people of Kashmir but to the world. We will not and cannot back out of it. We are prepared, when peace and law and order have been established, to have referendum held under international auspices like the United Nations ...."

Aagain, next day, Mr. Nehru in a telegram to Mr. Liaquat Ali Khan repeated his assurance:

"I wish to draw your attention to broadcast on Kashmir which I made last evening. I have stated our Government's policy and made it clear that we have no desire to impose our will on Kashmir but to leave final decision to people of Kashmir. I further stated that we have agreed to an impartial international agency like United Nations supervising any referendum. As soon as raiders are withdrawn there would be no necessity for our keeping our troops there."

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Mr. Nehru reiterated this declaration on 21 November, 1947:

" . . . . . I have repeatedly stated that as soon as peace and order have been established, the people of Kashmir should decide the question of accession by plebiscite or referendum under international auspices such as those of the United Nations . . . . by this declaration I stand."

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In the summer of 1951 Maulana Azad, India's Education Minister, said at a Press Conference in Iran:

"The Government of India have declared on more occasions than one, and on their own initiative and without any suggestion from any quarter whatsoever, that the Government of India will respect the wishes of the people of Kashmir . . . . Today and always we say that it shall be the people of Kashmir who will decide whether they will remain with us or accede to Pakistan."

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Let us recall what Mr. Nehru stated on 26 June 1952:

We have not got a clear slate to write upon; we are limited, inhibited by our commitments to the United Nations, by this, by that. But, nevertheless, the basic fact remains that we have declared—and

even if we had not declared the fact would remain—that it is the people of Kashmir who must decide. And I say with all respect to our Constitution that it just does not matter what your Constitution says; if the people of Kashmir do not want it, it will not go there. Let us suppose there was a proper plebiscite there and the people of Kashmir said, "we do not want to be with India." Well, we are committed to it, we would accept it. It might pain us but we would not send an army against them; we would accept it, however much hurt we might feel about it, and we should change our Constitution about it.

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In another speech in the same vein on 7 August, 1952 Mr. Nehru said:

It is an international problem. It would be an international problem anyhow if it concerned any other nation besides India, and it does. It became further an international problem because a large number of other countries also took an interest and gave advice . . . . . So while the accession was complete in law and in fact, the other fact which has nothing to do with the law also remains, namely, our pledge to the people of Kashmir—if you like, to the people of the world—that this matter can be reaffirmed or cancelled or cut out by the people of Kashmir if they so wish. We do not want to win people against their will and with the help of armed force, and if the people of Jammu and Kashmir State so wish it, to part company from us, they can go their way and we shall go our way. We want no forced marriages, no forced unions like this . . .

So, we accept this basic proposition that this question is going to be decided finally by the goodwill and pleasure of the people of Kashmir, not, I say, by the goodwill and pleasure of even this Parliament if it so chooses, not because this Parliament may not have the strength to decide it—I do not deny that because this Parliament has not only laid down in this particular matter that a certain policy will be pursued in regard to Jammu and Kashmir State but it has been our policy . . .

But whether it is a pain and a torment, if the people of Kashmir want to go out, let them go because we will not keep them against their will however painful it may be to us. That is the policy that India will pursue and because India will pursue that policy people will not leave her, people will cleave to her and come to her. Because the strongest bonds that bind will not be the bonds of your armies or even of your Constitution, to which so much reference has been made, but bonds which are stronger than the Constitution and laws and armies—bonds that bind through love and affection and understanding of various people . . .

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On 20 August, 1953, the following press communique was issued in New Delhi by the Prime Ministers of India and Pakistan :

"The Kashmir dispute was especially discussed at some length. It was their firm opinion that this should be settled in accordance with the wishes of the people of that State with a view to promoting their well-being and causing the least disturbance to the life of the people of the State. The most feasible method of ascertaining the wishes of the people was by fair and impartial plebiscite. Such a plebiscite had been proposed and agreed to some years ago. Progress, however, could not be made because of lack of agreement in regard to certain preliminary issues. The Prime Ministers agreed that these preliminary issues should be considered by them directly in order to arrive at agreements in regard to this. These agreements would have to be given effect to and the next step would be the appointment of a Plebiscite Administrator."

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In a report to the All-India Congress Committee, on 9 July, 1951, Nehru said :

"Kashmir has been wrongly looked upon as a prize for India or Pakistan. People seem to forget that Kashmir is not a commodity for sale or to be bartered. It has an individual existence and its people must be the final arbiters of their future. It is here today that

a struggle is being fought, not in the battle-field but in the minds of men."

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In a press statement issued in London on 2 August, 1951, India's Krishna Menon said :

"It is not the intention of the Government of India to go back on any commitment it has made. We adhere strictly to our pledge of plebiscite in Kashmir—a pledge made to the people of Kashmir because they believe in democratic Government . . . . . We do not regard Kashmir as a commodity to be trafficked in."

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On 3 February, 1948, Gopalaswami Ayyangar, India's Permanent Representative to United Nations told the Security Council:

"As the Security Council is aware, the Government of India is fully committed to the view that, after peace is restored and all people belonging to the State have returned there, a free plebiscite should be taken and the people should decide whether they wish to remain with India, to go over to Pakistan or to remain independent, if they choose to do so."

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Addressing the Security Council on 8 February, 1957, India's Krishna Menon said :

"It is possible for any sovereign state to cede territory. If, as a result of plebiscite, if ever it did come, the people decided that they did not want to stay with India, then our duty at that time would be to adopt those constitutional procedures which would enable us to separate that territory."

APPENDIX IV

If historical facts and geographic factors ever proved anything, it is that Kashmir belongs as much to West Pakistan as West Pakistan does to Kashmir. They are two parts of one whole; they are inseparable and destined, in the long run, to prosper or perish together. They constitute one compact unit, in which religion and culture, the main roads, the mountain routes and the river courses form a strong pattern of links.

For Nehru's daughter, Kashmir may be a question of prestige, a land of sentiment, a thing of beauty, a valley of kinship, a game of power politics but, for all the men, women and children of Pakistan and Kashmir, it is a matter of life and death. In physical terms, West Pakistan without Kashmir, appears like a ship without a deck, a house without a roof and a man without a head.

The concluding part of the Appendices is based on an article by Professor S. H. Shah and provides an excellent background of Kashmir's intimate relationship with Pakistan. It is followed by a factual appreciation of the truth which geography, economics and population figures have taught us.

PAKISTAN AND KASHMIR

It is a historic truth that Kashmir has never been an integral part of India. From times immemorial Kashmir has been a distinct cultural entity with its own language, culture, ceremonials, artistic values and philosophy of life and religion. Luckily Kashmir has the unique distinction of having a continuous record of its history for the last 2,000 years.

If we just peep into the story of Kashmir's evolution, it will become clear that Kashmir has been and is a part of the areas now included in West Pakistan. No amount of eloquence and verbose jugglery of the Indian propagandists has been able to destroy this eternal image of Kashmir.

Kashmir has throughout the ages been either an independent country or an integral part of Gandhara, the cradle of ancient Naga and Buddhist cultures now forming part of West Pakistan. Her trade routes, cultural and religious exchanges, emigration and immigration of population have all linked it on the one side with central Asiatic regions and on the other with Gandhara that is modern West Pakistan.

During the earliest periods as shown by the prehistoric and proto-historic remains in Northern Regions of West Pakistan and Kashmir, it appears that the aboriginal population of these areas came of a common stock and spoke common dialects described by the ancient Sanskrit purists as the Pisacha tongues of which Shina and Kashmiri are extant even today and philologically are non-Aryan tongues. The early mythological evidence available from the Buddhist lore and traditions of ancient Kashmir enshrined in the Nilamat Puran it is evident that the original inhabitants of Kashmir were a non-Aryan race called Nagas by the Aryans. They were a virile aboriginal stock of population whose most famous seat of culture was Taxila.

Great scientist like Nagarjun, philosophers and linguists like Patanjali and Panani and physicians and surgeons like Charak and Dhanvantri and preachers like Kundan and Asavaghosh were all in one or another way connected with the great seats of learning in Kashmir and Gandhara. The migratory population of Nagas had common settlements in Kashmir, Suvastu or modern Swat, and the areas like Hasan Abdal and Taxila. They were closely connected by religion, race and cultural relations.

The Maha Bhashya, Nilamat Puran and Rajtrangani as well as the accounts of Tara Nath, the Buddhist Tibetan historian, speak highly of the great cultural and economic development of the Naga lands especially in Kashmir.

Kalhana's Rajtrangani, which is essentially a saga of Brahamanical glory, is replete with references to the extermination of Nagas and Buddhists from Kashmir by the politically dominant minority of Brahaman chiefs. Kalhana's invectives against "rebellious Nagas" and "Buddhist apostates" very vividly indicate the tempo of Naga resistance against Aryans right down to the 9th century A.D.

When Ashok Maurya who received his early training and education in Taxila, became the emperor he tried to incorporate Kashmir in the Mauryan Empire but very soon realised the impossibility of maintaining Kashmir as a part of the Mauryan Empire. Making a virtue out of a necessity he bestowed it on the Buddhist Sangh.

In the history of ancient Kashmir the Kushana period is rightly regarded as a golden age. The great emperor of ancient Pakistan, Kanishka, incorporated Kashmir in the Gandhara Empire and established an alternate capital at Srinagar. This political union of the two areas resulted in very fruitful relations between the people of the Valley and the people of ancient West Pakistan.

Thus Kashmir became the centre of gravity of Kushana's Empire from Afghanistan to Sinkiang and Hindukush to Central India. The evolution of Mahayan Buddhism under Kanishka was mostly given form in Kashmir and great preachers and writers of

Kashmir spread out in central Asiatic countries and China and went as far as Cambodia.

After the break-up of the Kushana Empire, local dynasties of Kashmir like Loharas and Karkotas captured power. Some of them were Buddhists while others believed in a local form of Saivism. It is interesting to note that all their sacred places were confined to Kashmir, where they had their own Punchtarni and Harmukt Ganga as the substitutes for Tribehni and the sacred Ganga of India. They never regarded Kashmir as a part of Bharat and always referred to Bharat as a foreign country. Till as late as the 15th century of the christian era kashmir maintained complete aloofness from India and not a single instance can be quoted of any political connection during this period between India and Kashmir.

During the 14th century, King Rinchan, a Tibetan adventurer, captured power, embraced Islam and became the first Muslim Sultan of Kashmir. Very soon after his death the crown passed on to Shah Mir, an Afghan adventurer, who belonged to Kunhar in the modern district of Jalalabad. He became the founder of Shah-Miri dynasty, who continued to rule over Kashmir right up to the middle of the 16th century. It was during this period that Syed Ali Hamdani, a Muslim scholar and mystic of Tajikistan began his historical mission of peaceful conversion of Kashmiris to Islam. He established the central missionary headquarters at Khanqah-e-Mualla in the heart of the city of Srinagar, which even today is a place of great religious sanctity for the Muslims of Kashmir.

Syed Ali Hamdani not only changed the religion of the vast majority of Kashmiris but also gave a new shape to the cultural pattern of Kashmir. Kashmir was directly linked with the vital sources of Islamic culture in Central Asia and people in the centuries to follow continued to go out for higher education and trade not to Bharat but to Khurasan, Samarkand, Bokhara, Roh, Kabul and Herat.

In 1579, the independent Sultanate of Kashmir was wiped out by the Mughals after a very tough local resistance. Ultimately

Jalal-ud-Din Akbar pacified the people through the intercession of the great Kashmiri leaders, scholars and mystics like Sheikh Yaqoob Sarfi and Baba Daud Khaki, who agreed to become a part of the Mughal Empire on their own conditions. Though the ruler at Delhi was a Muslim, the accession accepted by Sheikh Yaqoob Sarfi and Baba Daud Khaki was of a limited character. For administrative purposes Kashmir was still recognised to be a part of the Suba of Kabul and not a direct dependency of Delhi. This status of Kashmir continued to 1752 when Kashmir became a part of the Kingdom of Afghanistan under Ahmed Shah Abdali.

The Afghans lost Kashmir in 1819 at the hands of Maharaja Ranjit Singh, the King of Lahore. Even during the life time of Maharaja Ranjit Singh the Muslim nation started the war of liberation of Kashmir when Syed Ahmad Shaheed and Maulana Ismail Shaheed declared that the liberation of Kashmir was the condition precedent for the liberation of the Muslim nation from foreign and alien control.

The resistance against Sikh rule continued in Poonch, Muzaffarabad and the Valley till ultimately the East India Company sold Kashmir to Gulab Singh, the hill chief of Jammu. Both Gulab Singh and his son Ranbir Singh maintained their sovereign status as independent rulers in direct treaty relations with the British Government and for all political matters they dealt with the British Government through the Governor of the Punjab with his seat of Government at Lahore. This position continued up to 1884 when Partap Singh came to throne and was forced to accept British Residency in the State directly under the control of the Political Department of the Government of India.

Maharaja Partap Singh was never fully reconciled to this position. Hari Singh, the last Dogra ruler, was an ardent supporter of the independence of the State of Jammu and Kashmir and as soon as the British rule came to an end he accepted a stand-still agreement with the Government of Pakistan and not with the Government of India. Even after the declaration of independence by the Kashmiris in Muzaffarabad and Poonch when Maharaja Hari Singh lost

control over the situation and was forced under pressure of Acharya Kriplani, Mr. Mehr Chand Mahajan, Swami Satya Deva, the religious preceptor of the Nehrus and Rani Tara Devi, he agreed only to a limited accession with India. That he did not agree to application of the Indian Constitution to the State and insisted on maintaining the independent character of his kingdom is evident from the fact that the Government of India conceded national status of Kashmir by agreeing to the setting up of a Constituent Assembly. Since 1947 Kashmir is internationally recognised as a disputed area, the future of which is to be decided by all canons of justice and international usage by a free and impartial plebiscite supervised by an international agency.

The verdict of history is, therefore, clearly against India. The Kashmiris have to make a choice of their destiny in the light of this historic perspective. That explains why India wants to wriggle out of her solemn promises repeatedly given by her accredited leaders both in and outside the United Nations Organization that the future of Kashmir shall be decided by the Kashmiris themselves. It is vain hope of the Indian imperialists that history can be belied to suit their unbridled ambition.

LET FACTS SPEAK

The State of Jammu and Kashmir has an area of 84,471 square miles. It is bounded on the north-east by Tibet, on the north by China, on the extreme north-west by Afghanistan where it is also in close proximity with Soviet Russia, on the west and south by West Pakistan and by a perilously narrow hilly tip in the south-east by India.

The State is composed of three units :—

(1) Jammu Province (topographically and ethnologically part of the plains of West Pakistan).

(2) Kashmir Valley (Muzaffarabad district of this province has common race, terrain and boundary with Abbottabad, in West Pakistan).

(3) Frontier districts (Gilgit zone of this unit is flanked on the north-west and west by the Pakistan States of Chitral, Dir and Swat.

The total population of the Jammu and Kashmir State, according to the census figures of 1941, was 4,023,180, Muslims numbering 3,102,700, i.e. 77.11 per cent or more than three-fourths and non-Muslims under a million (920,480), constituting less than one-fourth, i.e. 22.89 per cent only. The distribution of population in the three territorial units of the State is as follows:

		Total population	Muslims
1. Jammu Province:			
Muslims ...	1,215,076	1,981,483	61.3%
Non-Muslims ...	775,575		
2. Kashmir Valley:			
Muslims ...	1,615,478	1,728,705	93.4%
Non-Muslims ...	112,270		
3. Frontier Districts:			
Muslims ...	270,093	311,400	88.9%
Non-Muslims ...	41,381		

Thus there was a Muslim majority in the State as a whole as well as in each administrative division taken singly when, in 1947, the British Indian Empire was partitioned and gave birth to the two successor States of India and Pakistan. Of these Pakistan was the expression of the self-determination of the Muslim majority areas of the subcontinent. Now, the State of Jammu and Kashmir was contiguous to Pakistan; it was as predominantly Muslim as Pakistan itself; its three great rivers, arteries of Kashmir's timber trade, flowed into Pakistan to irrigate its vast agricultural plains; in race, culture, values, food and customs the people of Kashmir and of West Pakistan formed one single homogeneous unit; road communications which in all mountainous countries follow the course of rivers, determined the

course of the Jhelum (the only road leading out of the Kashmir Valley open all the year round) to Rawalpindi in Pakistan and the course of the Chenab (from Jammu to Sialkot). The road connecting Jammu with Srinagar in the Kashmir Valley, which has now been extended through causeways to India, crosses the Pir Panjal range at 10,000 feet high Banihal Pass and is snow-bound for about four months in the year.

In his foreword to a brochure "Economic consequences of Kashmir's present political position," written by Haji Mohammad Abdullah of Srinagar, Mirza Afzal Beg, Sheikh Abdullah's right hand man and founder-president of the Jammu and Kashmir Plebiscite Front, said on 17 January, 1969 : "The people of Kashmir have not for the last 21 years been able to enjoy the fruits of freedom. The Jhelum-Valley Road, which linked Kashmir with the outside world, had been blocked, diverting all trade and human traffic to Bannihal Road which is subject to frequent interruptions on account of land-slides both in summer and winter. As against 200 miles of distance between Srinagar and Rawalpindi, the the distance between Srinagar and Delhi was nearly 600 miles, of which 200 miles were hilly and hazardous. This fact was fast killing the Kashmir industries of carpet, silk, fruit, shawl and precious metals. The huge cost of transport was making it impossible for Kashmiri producers to face the competitive market prices in the plains and its disastrous consequences were already being felt. The Jhelum river route which was the means of transportation of crores of rupees worth timber from Srinagar to Jhelum town was also blocked since 1947 and the Occupied Kashmir timber had to be transported by land on costly trucks to Pathankot, a distance of nearly 300 miles. The cost of river was not more than two or three annas per cubic feet which had now gone up to Rs. 2.50 per cubic feet."

The agricultural economy of the State of Jammu and Kashmir is based on the forest wealth of its great mountain slopes. Before October, 1947, the timber from these forests was floated down the rivers to its two great markets at Jhelum and Wazirabad in Pakistan. In winter months the Kashmiri workers found employment in the

temperate plains of West Pakistan. Besides, Kashmir's proverbial fresh fruit found their nearest and most practical markets in close-by Rawalpindi in Pakistan, a few hours' drive from the Kashmir Valley. Kashmir's economic links with Pakistan were equally marked in its import trade. Most of Kashmir's requirements in salt, pulses, grain, wool and oil-seeds were met by what is now West Pakistan. Practically all petrol and petroleum products came from the oil-fields of Attock in Pakistan. Karachi is the port nearest to Kashmir and all its trade with foreign countries passed through this city.

The dependence of Pakistan upon the rivers flowing from Kashmir (Indus, Jhelum and Chenab) is too well-known a fact to need any elaboration. Although the Indus Basin agreement appears sufficiently to safeguard Pakistan's interests, so far as equitable distribution of water is concerned, we must ceaselessly remember that as long as India is in control of the valley, it can try to deprive Pakistan of its share of water by building dams upstream. The Indian code of ethics has become a patent in the trade of dealing with men and matters. The issue of Farakka barrage which threatens the economic viability of East Pakistan should serve as an example and a warning. Therefore, Indian control of these three important rivers flowing into Pakistan will continue to raise the gravest apprehensions.

Thus, in 1947, when India and Pakistan came into being, everything pointed to the logical direction of the accession of the State of Jammu and Kashmir to Pakistan: contiguity, ethnic unity, religion (which basically influenced the principle of self-determination and partition of the subcontinent), natural communications, a common river system, economic inter-dependence and, above all, the sovereign will of the people of Kashmir if only it had a chance to express itself.

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